

1689  
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FOLIO 2 A R 15

To Undermine and Exterminate

The present Impression of this  
Book, was made in the Year 1683,  
and has ever since lain Buried under  
the Ruines of all those *English* Rights  
which it endeavoured to Defend ;  
But by the Auspicious and Happy  
Arrival of the Prince of *Orange*,  
both They and It have obtained a  
Resurrection.

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# JULIAN'S ARTS

To Undermine and Extirpate

**CHRISTIANITY.**

TOGETHER

With ANSWERS to *Constantius*  
the APOSTATE, and *Jovian.*

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By SAMUEL JOHNSON.

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Licensed and Entered according to Order.

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L O N D O N,

Printed by J. D. for the Author, and are to be sold  
by *Richard Chiswell* at the Rose and Crown,  
and *Jonathan Robinson* at the Golden-Lion in  
St. Paul's Church-yard, MDCLXXXIX.

THE HISTORY OF THE

CHRISTIANITY

OF

THE EAST AND WEST

CHRISTIANITY

THE HISTORY OF THE

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**A**

JULIAN'S ARTS

To Undertake and Execute

CHRISTIANITY.

With Answers to Questions  
the Apostate, and Pagan.

BY SAMUEL JOHNSON

LONDON: Printed and Sold by J. DODD, in Pall-mall.

The Author being written

this book in his Lord

ship, and having been  
by Richard Coeur de Lion and  
His Majesty's Highness the Duke of  
at Paris, in the year, MDCCLXXII.

quarto

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T O · T H E  
Ever Glorious  
M E M O R Y  
O F  
W I L L I A M  
Lord Ruffel,

The Author having written  
this Book in his Lord-  
ships Service, does most  
Humbly Offer and De-  
dicate it,

TO THE  
The PREFACE  
OF THE

After the first volume of the  
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The PREFACE.

**B**Efore the Reader engages in the perusal of this Book, I shall entreat him to take this following Account of what he shall find in it. Having given at large an Account in my former Book concerning Julian's Usage of the Christians, and their Behaviour towards him, as might satisfy any reasonable Man, I have since found it necessary to add some new Matter of Fact upon that Subject, both to confirm the old, and to free it, if it be possible, from Wrangling and Dispute. And that I might not deliver this fresh Matter in a way of loose and incoherent Quotations, which would have been tedious, I took a Hint from Gothofredus his Julianus, to put it into a Discourse, which will at once give an Account of Julian's Devices to worm the Christians out of their Religion, and likewise shew how well studied the Papists are in those Arts.

My Answers have been so many, that I cannot number them at the sudden, and I think

think it has been Drudgery enough for one Man to read them over; but yet because two of them especially have been applauded as the Champions of the Cause, I thought my self concerned to give them *An Answer*. Not in the least to vindicate my self from their Reflections, (which I value not, tho it were stupidity not at all to resent them) but to do what I could to Truth, and to the Rights of my Native Country; for which of which, if God will have it so, I hope I shall not be unwilling to lay down my Life.

The Author of Constantius, in the late shamming way, has set up a Mock-Apostate, to give a Diversion, and take off the Force of what has been said concerning Julian; but I hope it will prove to be with the like Success as the Mock-Plots have had, which have always confirmed Men in the Belief of the true one. He has likewise abused a great deal of Scripture, to expose the Freeman of England, and their established Religion, to Violence, Oppression, and Extirpation; and if I have rescued those Texts which he has so employed, from such mischievous Applications for the future, I shall think my Pains well spent.

The Author of Jovian, by coming last, has had the Advantage of summing up the Evidence; which he has done so faithfully, that he has not omitted Heraclitus's Charge & gainst



going me, That I raise an Induction from one Particular; which he backs with a true Observation of his own, That I call the few Months of Julian's Reign an Age, p. 229. I say this, to shew the Completeness of this Author's Performance, and that in his Answer we read the Substance of all the rest; and not to rob him of the Honour of having added many Things of his own, as particularly the History of broken Succession in the Empire, (which may be a true one for ought I know, for it is of so small Concernment in this Controversy, that I never examined it); his Outlandish Notion of a Sovereign, which is such a Deceit to a common Reader, as a Scale of Dutch Miles would be in a Map of Middlesex; and his Distinction of Imperial and Political Laws, which is the Master-Piece in his Book. This Distinction I am apt to think is his last Refuge; and therefore I shall, first, shew how this Author was driven to it; and, 2<sup>ly</sup>, How false and groundless it is; and 3<sup>ly</sup>, What are the immediate Consequences of it.

In my former Book I laid down this undeniable Truth, That we are bound not to part with our Lives, but to defend them, unless under the Laws of God, or of our Country requires us to lay them down. Now it is our  
Death

## The Preface.

Death by the Law of God, but our Duty to be Protestants; and by the Law of the Land it is so far from being Death, that, on the other hand, it is Death to forsake the Protestant Religion, and to turn Papist. And therefore, in case Protestants should be persecuted under a Popish Successor, I ask a, by what Law they must die? That Question would admit no direct Answer; for no Man can say, that we ought to die for being Protestants, either by the Law of God, or the Law of the Land: And therefore the Author of *Joxian*, being resolved to cut a Knot which he could not untie, has found out the most wretched Expedient of a Distinction that ever was: For, first, he splits and divides one and the same Law of the Land into Imperial and Political; and then says, that by the Imperial or Prerogative Law we ought to submit to be murdered.

2. Now in the second Place, there never was a more horrid Slander cast upon the Prerogative, than this is: For whereas the

Kind of Law, Law of England says, That the King's Prerogative stretcheth not to the doing of any Wrong; this Author has found a way to stretch and extend it to the Subversion of all the Laws, and to the Destruction of all his Liege Subjects. By the Law of England, the King is inviolable, and by

Kind of Law,  
Book 2. chap.  
L. p. 85.

the

## The Preface.

the same Law he can do no Wrong; and there is all the Reason in the World, that he who is above the doing of any Injury, should be placed out of the reach of any manner of Resistance. But tho' the King can do no Wrong, and therefore we can suffer none from him; yet to make way for Passive Obedience, our Author will have a sort of Subjects, call'd the Sovereign's Forces, to be irresistible too, tho' in the most outrageous Acts of Destructive Violence. That's too plain a Juggle; for as the King can do no Wrong, so he can authorize no single Person, much less Numbers of Men, to do any Wrong: Or, to borrow the Words of a great Lawyer, The King cannot do Injury; for if he command to do a Man Wrong, the Command is void, & aliter fit Actor, and the Actor becomes the Wrong-doer. Now whether Men, by authorizing themselves to do Mischief, and to commit Capital Crimes, are thereby entitled to an uncontrollable Imperial Power, to the Rights of Sovereignty, and to the Prerogative of being irresistible, I leave all the World to judge.

In the last place, I shall shew the immediate Consequences of this new Distinction of Imperial Laws, to which we must pay our Passive Obedience. We have many  
People

Ephemeris  
Parl. 7. 146.

## The Preface

People amongst us, who are very much at ease, and wrap up themselves in the Security of this one Consideration, That Popery can never be established in England: Which I believe to be true, provided Men may be allowed to hold their own, and to maintain those Laws which establish the Protestant Religion, as they are bound to do: And therefore I was perfectly of the same mind, till I saw the blind slavish Passive Obedience set up, and so industriously promoted amongst us; for that Passive Obedience is Popery established by a Law, when even the Prince shall please. For what was Popery established by a Law in Q. Mary's Time? Or what other Mischief can Protestants suffer by the Establishment of Popery at any other time, but only to be reduced to this Choice, either to turn Papists, or else to submit to be destroyed? Now so soon as ever a Popish Successor shall give the Word, Popery is as surely established by the Imperial Laws, as it can be by ten thousand Political Acts of Parliament: For if we are as much bound to submit, when we are turned over to the Secular Arm of a Brigadier, as when by a Writ De Hæretico comburendo, we are turned over to the Secular Arm of a Sheriff, where is the Difference? So that we may be driven to Smithfield by Drovers, and

be piled up, and burnt like Loads of Eggs  
 gone, without the Trouble of repeating one  
 Protestant Political Act. Unless a Pro-  
 testant Nation, a Kingdom sh, they are in  
 a State of Damnation according to our  
 Author, if they will not submit to this  
 Usage; and I am sure a Popish Prince ac-  
 cording to his Religion, is in the same State  
 (to say nothing of the Loss of his Kingdom)  
 if he do not destroy Hereticks as far as Fire  
 and Sword will go.

Vide Concil.  
 Lat. sub Inno-  
 cent 3. cap. 3.

Thus far, as Protestants we are beholden  
 to this new Doctrine of Imperial Laws; and  
 as English Men, we shall suffer more by  
 them, than the Nation ever did under Po-  
 pery. For those that will be Rapists, shall  
 not be excused from being Slaves, but their  
 Lives and Liberties shall be wholly at the  
 Discretion of their Prince. This is so plain  
 a Consequence, that our Author himself  
 says it, and says expressly, p. 242. In all  
 Sovereign Governments, Subjects must be  
 Slaves as to this Particular. Whereas  
 the Subjects of England never were Slaves  
 in any Particular, nor ever would be, in  
 the darkest Times of Popery. Besides, I  
 would fain know to what Particular, they  
 are Free-men, who are Slaves as to this  
 Particular of their Lives and Liberties; I  
 cannot but think that they must needs be  
 Slaves

Slaves all over. Neither can I see the Necessity of our Author's must be Slaves; for Sovereignty in the Government, does not at all imply Slavery in the Subject in any one Particular, as I will prove to him, even in his own way, by the Notion of a Sovereign. For tho he talks much of the Essence and Essential Rights of Sovereignty, p. 241, and in many other Places, yet I doubt not of convincing him, that the Notion of a Sovereign implies nothing in it but Superiority; and as for the Terms and Measures of this Superiority, they must be known some other way, and are not involved in the formal Conception of a Sovereign, nor are all that so certain and demonstrable, as the Properties of a Cube or a Sphere. For in the Law of England, every Master of a Servant, for Instance, is a Sovereign, he is his Servant's immediate Sovereign, as our Author may find it twice in one short Act, 22 Hen 7. cap. 7. And a hired Servant, who is a Free-man, owes to this immediate Sovereign a natural and obliged Duty, as he may see in the same Act. And yet I am certain, our Author will not undertake to prove, that the Rights of an absolute and arbitrary Sovereignty do belong to every Master of a Servant; or that that Servant is a Slave as to his Life or Liberty, either

by the common Laws of Sovereignty, as his Phrase is, or by the Laws of Christianity.

And truly it is not the least Aggravation of this Slavery, to be put into Chains under pretence of our Christianity, which for that end must go under the Name of a suffering Religion, and be called the Doctrine of the Cross, in such a sense, as if it would not suffer the Professors of it to live. Whereas I have heretofore shewed, from 1 Cor. 7. 21, 22, 23. That Christianity is so far from enslaving us, or devesting us of those Rights and Priviledges which we have already, that it encourages us to procure more Liberties and Franchises, if we can come honestly by them: V. 21. But if thou mayest be made free, use it rather. It forbids Men likewise to enslave themselves, v. 23. Ye are bought with a Price, be ye not the Servants of Men. I might now from this place, charge all those that are for the slavish passive Obedience, with denying the Lord that bought them; as the Author of Constantius does me, with denying a passive Crucified Saviour; or, as the Author of Jovian does, with burlesquing the Doctrine of the Cross: But I abhor all such Abuse of Scripture, to abuse an Adversary; for I know that all honest Men will sooner

(a)

renounce

## The Preface.

renounce an hundred such silly Doctrines, which it may be hitherto they had no occasion to examine, than either renounce their Blessed Saviour, or any part of his Religion. But to return, it is plain therefore, that Christianity does not alter Mens Condition for the worse, nor turn Free-men (as the People of England have always been) into Slaves, as to their Lives and Liberties; neither, under the pretence of Passive Obedience, does it give their Persons or Estates into the hands of Violence, when the Law bids them keep them, and protects them in defending them. But on the other hand, it charges them, Be ye not the Servants of Men: Which indeed is a Dictate of the Law of Nature, and what Men of themselves would observe, if they were not degenerate; for voluntary Slavery is a Sin against the Law of Nature, which no Man in his right Mind can be guilty of.

And therefore the Canon-Law says, That if there had been no Drunkenness, there had been no Slavery. It seems it was the Product of a blind drunken Bargain. And we have hitherto seen no better Fruits of our drunken Beasts and Buzzards, but much worse:

For

Manebat antequam vitium inveniretur, omnibus inconcussa libertas; nemo sciebat a consorte naturæ suæ obsequia servitutis exigere. Non esset hodie servitus, si ebrietas non fuisset. Gratian. dist. 35. sect. 14. This was written upon occasion of delivering up Charters.



For it is a greater Sin for a Man to betray others into Slavery with him, than only to make war with himself; and it is still a greater Sin to betray a Trust to do it, and to betray Oaths, and be perjured, to betray that Trust; for that is making themselves the Captives of the Devil, that they may be the Servants of Men, and enslaving themselves Body and Soul, to enslave others. Good God! what will become of us, when such Wickedness as this shall dare to assume the Name of Loyalty! and irreparable Injury to the Subject, shall pass for Duty to the Prince! Is not this, Thou shalt not forswear thy self, Thou shalt not defraud? Be ye not the Servants of Men, as much Scripture as, Render unto Caesar the Things that are Caesar's? and that as much Scripture as this? Why then shall we set them at variance, and make them inconsistent? Why must one Duty drown another? or that which indeed is no Duty, drown those that are? For where is it said, Render unto Caesar the Things which are not Caesar's? Where do you find that Duty, To render that which by the Law of God and Man is your own, or indeed not wholly your own, but other Mens too, with which you are entrusted: and not theirs neither, but the Children's which are yet unborn; and made

sacred to them all, by the Oath of God which is upon you? It is a Madness, beyond that of Drunkenness, to do all this in a Complement. Men must be under some stronger Delusions, and think there is a great deal of Merit in it before they could be brought to do it: And therefore I believe these Effects are wrought by the Power of that Turkish Passive Doctrine, which enables those Slaves to break their own Necks, out of profound Obedience to their Grand Signior, and fills them with Conceits of going to Paradise for their pains. If that be so, what have those Men done, who have ventured to adopt this Doctrine into Christianity, thereby removing our old Landmarks, and undermining those Banks and Walls of English Rights and Liberties, which alone, under God, could keep out Popery and Slavery from overflowing us. I beg of them, for the Love of God, and of their Country, and of their own Souls, and in the behalf of Posterity, which had better never see the Light, than be born under Popery and Slavery, that they would seriously consider what will be the End of these Things, and how they will be able to account for it; and then let them do as they shall think fit.

I must not omit to say somewhat to one Fallacy of our Author, which he has repeated so often in his Book, that perhaps he now be-  
 lieves

loves it himself, as he would have others to  
 do; and that is, That Self-defence does more  
 Mischief than the most outrageous and bloody  
 Oppression. The Learned call that the Pallacy  
 of *Non causa pro causa*; for Self-defence  
 never did any Mischief in this World; and  
 it is impossible, that one Man's righting him-  
 self can do another Man wrong. The Mischief  
 that happens in that Case, is wholly to be  
 charged upon those that invade Mens Lives  
 and Liberties, and thereby put them upon a  
 Necessity of defending them. And if that  
 Mischief fall upon the Heads of the Invaders  
 themselves, it is well placed, it is their own  
 Mischief, which they intended for others:  
 If by Accident it involve innocent Persons,  
 who were not aimed at, still they are answer-  
 able for it, who were the Cause of it. But for  
 Men to abandon their Lives, and all their  
 English Rights and Liberties, for fear of ac-  
 cidental Mischief, is to throw away their Bi-  
 bles for fear of Heresy, of which Mischief  
 the Scripture it self is never the Cause, but  
 very often the unwilling Occasion. In a  
 word, our Author's Doctrine of a slavish  
 Passive Obedience, is an Encouragement, a  
 Provocation, and an irresistible Temptation  
 with wicked Men, to all manner of lawless  
 Oppression, which is manifestly to the De-  
 struction of the Government, and against the  
 the

the King's Crown and Dignity, as the  
Law sets forth such Offences: Whereas the  
Doctrine of a just and necessary Defence,  
and that no Man should invade or destroy  
his Fellow Subjects, but at his own Perill,  
has a direct Tendency to the Welfare and  
Preservation of a Nation, by putting an  
Aid and Restraint upon the lawless and de-  
structive Insolences: So that no Man can  
be offended at it, but he who would exercise  
that Quality, and do that Mischief which  
the Law will not suffer him to do.

As for the Author's Introduction, and  
other Parts of his Book, wherein he de-  
reely adheres to the truth, but in quelling the  
Doctrine of the Cross, and insinuates there  
in a charge of Blasphemy upon that account I  
leave the Reader to judge, who brings the  
greater Reproach upon the Cross of Christ:  
He then says, The Doctrine of the Bodyswing  
is the Doctrine of the Cross: or he that  
says will prove, That the Doctrine of Mar-  
tyrdom only is the Doctrine of the Cross, but  
that the Apostolic Doctrine of the Bodyswing  
is a mischievous Turkish Doctrine, and no  
Evangelical Principle: But this Man  
would have staid down the Prophet, when he  
descried Babel, for a God who was hawking,  
or upon a Journey, or fast asleep, and must  
be awaked, that all that while he was thus  
pheming

pheming the Deity: For when I do the same as the Prophet did, by Popish Idolatrous Prayers, and by the mischievous Cant of Prayers and Tears, which these Men employ as a Tool and an Instrument of Arbitrary Government and Oppression; which destructive way of prescribing and applying them, was the only Thing I called a Mountebank Receipt, (as the Words which immediately follow in that place, chap. 2. do fully testify) this by all means must be represented as Irreligion and Prophaneness.

I shall say nothing to his Libels, which are scattered quite through his Book against Persons of sacred Memory, of Honour, and of great Learning and Integrity; for their own Worth has given them so secure a Reputation, that it would be a ridiculous Officiousness in me to vindicate it: I should rather be inclined to bid him rail on; for tho his Reproaches are no Slanders, yet I know not what his Commendations might be.

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#### ERRATA.

Page 101. There is a Mistake in History, but it is not material.





# JULIAN'S ARTS

To Undermine and Extirpate

## CHRISTIANITY.



Y being born an English-  
man, I am become a Deb-  
tor to my Country ; and  
by being a Clergy-man, to  
the Church of God : And  
I cannot better discharge  
my Duty to both of them at once, than  
by laying open those wicked Arts and  
Stratagems, which heretofore distressed a  
flourishing Empire, and wanted but little  
of extinguishing the Christian Name all  
over the World. For, as my Lord Bacon  
has wisely observed, to discover these  
wicked Arts, is to disarm them ; which  
(as the Fable goes of the *Basilisk*) kill  
those only that are not aware of them,  
but are disabled from doing mischief, by  
being seen first. Before I come to treat

of these in particular, I shall say somewhat in general of *Julian's* Dissimulation, a vein of which you will see runs through all his Actions : and likewise of those peculiar Advantages which he had to further all his mischievous Designs, and those were the Reputation of his great Moderation and Justice.

## CHAP. I.

*Julian's Dissimulation.*

AND indeed nothing of Truth and Sincerity could be expected from him, who had dissembled for ten years together, in that which is the most sacred and solemn thing in the World : for so long he counterfeited in the matter of Religion. A Practice so false and odious, that we know little of *Julian*, unless we view him a while in his Religious Disguise ; which is patch'd up of the basest, and most mischievous Vices that are in the World. For there is in this practice a mixture of Cowardise and Impudence at once ; it prostitutes Religion, and makes it truckle to a poor worldly Interest ; and it destroys the foundation of all Belief and Confidence amongst Men.

For



For at this rate Oaths, Vows, Protestations, Appeals to Heaven, and such-like, the greatest Assurances amongst Men, come to nothing.

This then is *Ammianus's* Hero; That Mighty Man, who durst not own his Gods for ten years together; but was such a Slave as to fall down and worship the Carpenter's Son, that Son of *Mary*, whom he so much vilifies and disdains in his Writings. That false Man, who worship'd the Eternal Sun by Moon-light, and yet in the very face of him went and worship'd the obscure *Galilean*, and turn'd his back upon his own glorious Deity. That degenerate Heathen, who to gain the favour of the *Galileans*, whom he inwardly scorn'd and hated, did that which an honest-hearted Heathen abhorr'd, that which *Socrates* would not do to save his Life, but preferr'd Hemlock before it. In a word, That Man, who if he would have bespoken Mens belief, as he used to do their attention, Hear me, to whom the French and Germans before now have bearkned; must have said thus: Believe me, Christians, whom no body can believe; who can swear by no Gods, to whom for many years I have not been false. Believe me, Christians, to whose

*Amm. Mar-  
cel. l. 22. Sa-  
peq; dictita-  
bat, Audite  
me, quem  
Alemanni et  
Franci au-  
dierunt.*

## JULIAN'S Arts

Prayers I have said many a false *Amen*, whose Sacraments I have turn'd into biting and supping, and whose whole Religion I acted as a Part for ten Years together. Be you Fools to believe me now, and I will give you leave to be wiser, and to speak Sentences hereafter: and when you have served my Designs, you may then say if you please, There is no Faith in Man.

## CHAP. II.

*His Moderation.*

BESIDES the great Gift of dissembling in general, *Julian* had the advantage of furthering his Designs by pretending great Moderation; which *St. Gregory* calls a *shew of Gentleness*, and *Theodoret* calls his *Vizor of Meekness*: and this he chiefly wore, in these two Cases.

First, in pretending to be reconciled to those that had opposed him, and in telling the World he could readily forgive. I shall make choice of this Instance out of very many.

‘ As he was sacrificing to *Jupiter*, of a sudden

' sudden he saw one lying prostrate on *Amm. l. 22.*  
 ' the Ground, begging to have his Life *p. 244.*  
 ' and Pardon given him. And when *Julian*  
 ' ask'd who it was? Answer was  
 ' made, that it was *Theodotus*, one that  
 ' belong'd to the Governour of *Hierapo-*  
 ' *lis*; and that waiting upon *Constantius*  
 ' at his departure out of that City, in  
 ' an ugly way of flattering him, as if for  
 ' certain he would have the Victory, he  
 ' begg'd, just as if he had been crying, of  
 ' the Emperour, that he would please to  
 ' send their City the Head of *Julian*, that  
 ' ungrateful Rebel, in the same manner  
 ' that he remembred *Magnentius's* Head  
 ' was carried about, which was on the  
 ' top of a Pole: Which when *Julian*  
 ' heard, *I have heretofore*, says he, *heard*  
 ' *this Saying of yours reported by many.* But  
 ' go your way home, secure and free from all  
 ' fear by the Clemency of your Prince, who  
 ' has resolved, in Prudence, to lessen the num-  
 ' ber of his Enemies, and, out of choice, does  
 ' what he can to encrease his Friends. But  
 notwithstanding this melting Passage, he  
 that shall believe *Julian* to be the mildest  
 and most merciful Prince that ever lived,  
 will be grossly mistaken. For when he  
 shewed full as much Gentleness to *Maris*  
 Bishop of *Chalcedon*, who told him his own

*Sozomen. lib. 5.  
cap. 4.*

very publicly, *Sozomen* neither imputes it to his Vertue, nor to his good Nature; but represents it as only a Copy of his Countenance, and a meer Amusement. 'The Emperor, says he, making no answer, 'passed it by. For he reckoned that 'hereby he should confirm Heathenism 'the more, having shewed himself so surprizingly meek and patient before a 'great number of Christians. And that he did it out of Design, appears further, by taking his time to reckon with the old Bishop afterwards.

2dly. His Vizer of Meekness went on again, when there was any occasion to speak of Differences in Religion: For there he breathed nothing but Gentleness, and seem'd to have a very tender regard of Mens Consciences. He was not for pressing any body against their Inclination in matters of Religion, but for leaving all Men in their native Liberty, and as free as Thought. If any Man would be perswaded to come over to his Religion, he was welcome; but he would not allow of Compulsion by any means. And thus, by an Edict, he orders his Heathens at *Bosra* to treat their *Galilean* Neighbours; telling them that

*Julian Epist. 52.*

that Men ought to be won by Reason and Instructions, and not by beating and reviling, and corporal Punishments. And if the *Galileans* notwithstanding should continue obstinately in their Error, he bids them not to be angry at them for it; but to look upon them as Objects of Compassion, and rather to pity them, as lying in a State of Irreligion, which is the greatest Calamity in the World. He never speaks better Sense than upon this occasion; and when he inveighs against Force and Compulsion, he does it with a good Grace. And yet all this was no more then Queen *Mary's* Court Holy-Water to the Men of *Suffolk*; or her compounding afterwards with the *Londoners* in *Guild-Hall*, for the Liberty of her own Conscience; while *Gardiner* and *Bonner* were framing quite other Arguments of Conversion, than those of Reason and Instruction.

### CHAP. III.

#### *His Justice.*

**B**UT the Reputation which he had for his Temper and Moderation, seems to be short of that which he had for Justice,

to which he was a great Pretender, and under the covert of it did infinite Mischief. This gave him a fair opportunity of undermining Christianity: For who could suspect that he would not do all Men right, who had brought *Astraea* back again from Heaven, and took care to administer Justice himself, that it might be well done, and valued himself mightily upon it. And not only the Heathens were always filling Mens Ears with their Praises of him for it, but the *Donatists* too, like true Flatterers, who use to give Men those Praises which they most willingly hear, told him, *That he was the Person with whom only Justice took place.* Whereas he plainly turn'd the Sword of Justice into a Backsword: for it was very keen towards the Christians, but blunt and harmless towards the Heathens. For tho the Christians were destroyed in most parts of the Empire, yet it was sore against his Will if any of the Heathens suffered for their Outrages upon them. He spoke big indeed, and threatened the *Alexandrians* for their barbarous Murder of Bishop *George*; but his Blood was put up. For before he concludes his terrible Letter, he tells them, *That for the sake of some of his Kindred, and their God Serapis,*  
be

*August. Ep.*  
48, & 166.

*Julian Ep.*  
10.

he still reserves a Brotherly Kindness for  
 them. But when the like Barbarities were  
 acted at Gaza upon Eusebius, Nestorius,  
 and Zeno, only for their former Zeal a-  
 gainst Heathenism (the Description of  
 whose Usage would make a Man's Heart  
 bleed) the Historian expressly says, ' That  
 the Emperour did not so much as send a *Sozom. lib. 5.  
cap. 8.*  
 chiding Letter thither; but on the other  
 hand, turned out the Governour, and  
 in great Favour banish'd him, instead  
 of putting him to death; because he had  
 apprehended some of the Men of Gaza,  
 who were said to be Ring-leaders in  
 the Riot and Murders which had been  
 committed, and had put them in Pri-  
 son to abide the Law. For why should  
 they suffer, says Julian, who had revenged  
 themselves upon a few Galileans, for the  
 Injuries which they had often done both  
 to them and their Gods. St. Gregory relates  
 this as a well-known and famous passage. *Inveſt. 1.  
pag. 91.*  
 Who is ignorant how that a certain Peo-  
 ple having rag'd against the Christians,  
 committed many Murders, and threat-  
 ned a great deal more; because the Go-  
 vernour of the Province went the mi-  
 dle way, betwixt the Times and the  
 Laws; for as he thought he must serve  
 the Times, so he had some small reve-  
 rence

' rence for the Laws ; and therefore ha-  
 ' ving put to Death many of the Christi-  
 ' ans, and punished but few of the Hea-  
 ' thens, and being accused for this before  
 ' the Emperor ; though he pleaded the  
 ' Laws, according to which he was en-  
 ' trusted to govern, he had like to have  
 ' been put to death : At last, obtaining  
 ' Favour, he was condemned to be ba-  
 ' nished. And how admirable and grac-  
 ' ious was this expression of *Julian* at that  
 ' time ? for says the just Judge, and no  
 ' Persecutor of Christians, *What great mat-*  
 ' *ter were it if one Heathen hand had killed*  
 ' *ten Galileans ?* Is not this bare-fac'd  
 ' Cruelty ? Is not this an Edict of Perse-  
 ' cution ? Surely there never was a grea-  
 ' ter Juggle of Tyranny in the World, nor  
 ' more odly managed, than this of *Julian* :  
 ' To make no Sanguinary Laws against the  
 ' Christians, because he would not be  
 ' thought a Persecutor, and yet to take  
 ' care that they should be as effectually de-  
 ' stroyed, as if all the Laws of the Empire  
 ' had been against them : and after that to  
 ' lay open the Contrivance, and betray his  
 ' own Plot ! As *Gregory's* words are upon  
 ' a like occasion, *He could not keep his own*  
 ' *wicked Counsel*, but discovered the Se-  
 ' cret : for we need no further light to  
 un-



understand what his Justice was, than  
this one Aphorism of it from his own  
Mouth.

## CHAP. IV

*His Methods of Conversion.*

**J**ulian finding the Christian Religion, as *Constantius* had left it, in Power and Authority, having had an Establishment of well nigh fifty Years under the glorious Emperour *Constantine* the Great, and his Sons; and Heathenism being driven into Corners by a great number of Edicts, which amongst other things had made it Death to Sacrifice; had reason to complain, as Secretary *Goleman* did upon a like occasion, that he had a very great Work upon his Hands, no less than the Conversion of a whole Empire. Only there were two sorts of Men, who saved him the Labour, and did his Work to his hands.

*One of Constantius's Edicts.*

*Pœna Capitis subjugari precipimus eos, quos operam Sacrificiis dare vel colere Simulachra consisterit.*

First; The Volant Squadron, that running Camp, which immediately wheels about upon the least signal of a Change in Religion. Those very forward People, who as soon as they knew how

how *Julian* stood affected, and what he would be at, presently took the Hint, and were special good Heathens in an Instant; and afterwards were immediately as good Christians again, at *Jovian's* Service. There are always such Wretches as these in the World; who, as *Themistius* excellently says, do not worship God, but the Purple. And as one of our own Historians speaks, concerning the same sort of People in the beginning of Queen *Mary's* Reign, are so forward to worship the rising Sun, that to make sure work of it, they will adore the dawning Day.

2dly, A sort of simple, unthinking, and stupid Men; who, tho' they are slower, are no less sure than the former. They do not indeed anticipate an Alteration in Religion, but when it is made, they no more scruple the Prince's Religion, than they doubt whether his Coin be lawful Money. They count it their Duty and their Loyalty to acquiesce, and very ill manners to think themselves wiser than their betters, concluding that God and the *Czar* know all. Their Conscience is, that they ought to be guided by the publick Conscience; and they

they please themselves mightily in believing, that if they be misled, the fault will lye at their Door who have misled them, and that they must answer for it. Whereas it is supposed, If a Man out of Complement to the Eyes of his betters, should neglect to use his own, and run his Head against a Post, that he himself would have the worst of it. *Julian* presumed to find this implicit Temper chiefly in the Army, who are so used to a blind Obedience, that, as *St. Gregory's* words are, *Invest. 1. Some of them know no other Law, than the Will of their Prince:* And accordingly he did find it, for many of them presently followed their Leader, tho it were to Heathenism and the Worship of Devils. *p. 75.*

But, 3dly, Where he could not meet with this Stupidity and Indifferency, which makes Men so easy, that no Religion comes amiss to them, there he used his utmost Endeavour to convert them by Argument, and all the Arts of Perswasion. For being a zealous Prince, he thought it meritorious to engage in the Work himself, and not to leave it to I know not whom. And this he did partly by way of Discourse and Conference, and partly by Writing.

I. By

1. By Discourse and Conference. In this way, amongst many others, he set upon *Cæsarius* his Treasurer, *Gregory Naz's* Brother, and employed a great deal of Sophistry in the Dispute; but *Cæsarius* was too hard for him, and baffled him; and when he had done so, proclaimed with a loud and clear Voice, *That he was a Christian, and would be a Christian.* And this Victory which his Brother thus gained, *Gregory* prefers before *Julian's* great Power, and noble Purple, and rich Diadem.

*Greg. Naz.*  
*Orat. 10.*  
*p. 167.*

2. When he had not the opportunity of personal Conference, he conveyed his Arguments by writing. In one of his Letters to the *Alexandrians* he tells them, 'I am ashamed by the Gods, that so much as one Man in *Alexandria* should confess himself a *Galilean*. For this weighty Reason forsooth; because the Hebrew Fathers of the *Galileans* had been Slaves to the *Egyptians*, and the *Egyptians* themselves had been conquered by the *Alexandrians*, and therefore it would be a stark shame for them, after all this to submit themselves in a way of voluntary Slavery to the *Galileans*; who, as one may say, had been their Slaves Slaves. I know not what force this Argument may have

*Jul. Ep. 51.*

have in Heraldry ; but I am sure it has none at all in Logick. He further tells them, ' That *Alexander*, the Founder of ' their City, was a religious Worshipper ' of the Gods, another-guess Man by *Jove*, ' than any of the *Galileans*, or any of the ' *Hebrews* before them. And so was *Pto-* ' *lemy* the Son of *Lagus* a better Man than ' any of them. And as for all the *Ptole-* ' *mies*, they did not nurse up their City ' to that Greatness with the Sayings of ' *Jesus*, nor render it a well-ordered and ' flourishing City even to this day, with ' the Doctrine of the hateful *Galileans*. *Ibid.* ' And when it fell afterwards into the ' Hands of the *Romans* ; *Augustus* express ' great Kindness to it for their God *Se-* ' *rapis*'s sake. Just as Father *Cressy* in- ' sults, when he is got into the *Saxon*, ' *Danish*, and *Norman* times. And present- ' ly after you have a whole Cluster of the ' Pope's own Arguments. *Julian* would ' not have them worship *Jesus*, ' Whom ' neither they, nor their Fathers have ' seen ; but the great Sun, whom from ' all Eternity, the whole Race of Man- ' kind does see, and behold and worship, ' and by worshipping, prospers. Now ' here is the utmost of Antiquity, Universa- ' lity, Succession, Visibility, and what not ? ' Argu-

Arguments not worth the stooping to take up, and therefore I conceive, neither worth fetching from *Rome*, nor carrying into *Egypt*.

4. If his Arguments were unsuccessful, and he could not get Men to apostatize *gratis*, then he wrought upon their Covetousness and Ambition; for amongst too many, a very bad Religion, with Money or Honour to boot, is reckoned a great Bargain. And in this Field it was that *Julian* conquered, as *St. Asterius* says, 'What drew those who had been Christians and Communicants to the Worship of Devils? Was it not the desire of great Possessions, and to be Lords of other Men's Estates? who having received Promises from wicked Heathens, of being Governours as long as they lived, or of having large Pensions out of the King's Treasury, presently shifted their Religion like a Garment. We have some Instances of these things from former times, and our own Age has given us the Experience of others. For when that Emperour, who of a sudden laid down the Masque of a Christian, impudently fell to sacrificing to Devils himself, and propounded many Advantages to them that would do so too,

*Hom. Cont.*  
*Avarit. Biblioth. Pat.*  
*Paris, Tom.*  
*2. p. 585.*

' too, how many were there who left the  
 ' Church and ran to the Altars? How  
 ' many catching at the Bait of Honours,  
 ' swallowed the Hook of Apostacy toge-  
 ' ther with him? But now they go up  
 ' and down the Cities as stigmatized Per-  
 ' sons, hated and pointed at by all: Look,  
 ' these are the Betrayers of Christ for a  
 ' little Money; they are put out of the  
 ' Catalogue of Christians, as *Judas* was  
 ' out of the number of the Apostles, and  
 ' are as well known by their Denomina-  
 ' tion from the Apostate, as Horses are  
 ' known by their Brands: As St. *Grego-*  
 ' *ry's* Words are, ' Some he drew with *Orat. 103*  
 ' Money, others with Dignities, others *p. 167.*  
 ' with Promises, others with Honours of  
 ' all sorts, which he exposed in all Men's  
 ' sight, not like a King, but in a very ser-  
 ' vile manner. Which made that honest  
 ' Clergy-man, *Basilins*, take a great deal of  
 ' necessary Pains, to fortify the Christians  
 ' against that Temptation, by warning them  
 ' not to part with their Religion upon  
 ' those wretched Terms. ' When *Julian Sozom. lib:*  
 ' was Emperour, says the Historian, *He s. c. 104*  
 ' went all up and down, publicly and  
 ' openly exhorting the Christians to stick  
 ' fast to their Religion, and not to be  
 ' defiled with the Sacrifices and Libations.  
 G ' of

' of the Heathens, and that they should  
 ' reckon for nothing the Honours which  
 ' were bestowed by the Emperour, de-  
 ' claring that they were but for a Season,  
 ' in respect of the Wages of eternal De-  
 ' struction. Making this his Business, he  
 ' was hated by the Heathens: and stand-  
 ' ing and looking upon them as they pub-  
 ' lickly sacrificed, he fetch'd a deep Groan  
 ' and prayed, that no Christian might  
 ' ever know by Experience that false Re-  
 ' ligion. Upon this he was apprehended  
 ' and delivered to the Governour, and  
 ' after several Torments, manfully finish-  
 ' ed his Martyrdom.

I cannot but observe, that both St. *Asterius* and *Gregory* make mention of *Julian's* tempting Men by Promises, which was a cheap way of corrupting great Numbers. For (as the Cardinal advised the Gentleman, who told him that he intended him the present of a very fine Horse, but he unhappily fell lame by the way. Go, says his Eminency, to such and such, naming half a dozen other Cardinals, and tell every one of them the very same Story; and you may oblige more with your lame Horse, than if he had come well to Town). It is plain that one single Preferment in this way,



is capable of engaging a multitude of Expectants. O base and low-priz'd Souls in the mean time ! which once could not be redeemed with Silver and Gold, but are now bought with the very chinning of Money in one's hand. It is no marvel therefore, that immediately after *Julian's* Death, these Men became a publick Scorn, and were as vile in all Men's Eyes, as Cattel that been sold in a Market, and wore their Master's Brand upon them. *Gregory* sufficiently expresses himself against those that had not the Courage and Resolution to hold out, in that short and weak Assault of the Devil, as he calls *Julian's* Persecution. ' But they are ' worse than these, says he, and more deserve to be prohibited from coming to ' this Assembly, that would not oppose ' the Times never so little, nor them that ' drew us into a miserable Captivity away ' from him, who ascended up on high, ' and made us happy Captives, but of ' their own accord, and needlessly shewed ' themselves to be wicked and vile, neither making the least Resistance, nor ' being offended because of the Word, ' for any Affliction or Trial that was upon ' them ; but the Wretches bartered away ' their Salvation for transitory Profit, or

*Invect. i.  
pag. 53, 54*

'Worship, or a little Honour. A little indeed ; a snuff of Honour, which soon expired, and went out in a stink.

# CHAP. V.

## *His choice of Magistrates.*

AND now we might congratulate all the good Christians, who had escaped *Julian's* Snares, if he had so done with them ; but, alas ! this Deliverance only exposed them to new and fiery Trials : for those whom he could not catch in his Nets, he left to be hunted down by the rage of the People. And, in order to this, he had Magistrates for the purpose ; Men that would countenance and encourage the People, in their Outrages upon the Christians, instead of restraining or punishing that illegal Violence. 'The Government of Provinces (says *Gregory*) 'was not put into the hands of the best 'natur'd and most moderate Men, but of 'the most inhumane. And he not only put into office the worst natur'd Heathens, who were of a disposition inclined to Cruely, but Apostates, who never give Quarter, and are found, by the experience of all Ages, to be the fiercest Persecutors.

The

*Invect. 2.  
pag. 120.*

The Christians knew this very well, in the beginning of *Julian's* Reign, before they felt it. For *Sozomen* tells us, 'The Church was in great fear of Persecution, because of *Julian's* hatred to the Christians; and was the more exceedingly afraid, because he had formerly been a Christian. Now it is very plain, that *Julian* took care to bestow Offices upon those that were like himself. For *Gregory* tells us, that Apostacy was the road to Preferment, and expressly says, that it was the only recommendation to a place in the Government. So that if the poor Christians were trampled upon by Heathens, they must seek relief at the hands of Renegadoes, more implacable and irreconcilable enemies than the others. For while there was one Christian left in the World, who persevered and was true to his Religion, that Man was a standing reproach to their falseness and treachery. And thus it has been in later days, the Renegates that have gone over to Popery, have always been fiercer than others; and they are forced to be so in their own defence: They must be cruel Papists, that they may be believed to be Papists at all.

*Sozom. lib.  
5. cap. 2.*

*Inv. 2. p. 120.  
ὅτι μὴ ἀποστή-  
σιν εἰς ἀρχὴν  
ἢ ἀποστασίας.*

## CHAP. VI.

*His different Carriage towards Cities*

**A**Nother effectual course which *Julian* took to advance Paganism, and to suppress Christianity, was, by giving Encouragement to those Cities which turned Heathens; and by setting all Marks of his Displeasure upon those, which were firm to their Religion. \* He often writ to the \* Common Council of Cities, if he understood they were converted to Heathenism, bidding them to ask of him what Gifts or Grants they would. But he manifestly hated those Cities which continued Christian, so that he would neither endure to come at them himself, nor receive the Messengers of those who were sent to complain of their Grievances. For Example, when it was expected at that time, that the *Persians* would make an Invasion, and the Inhabitants of *Nisibis* ( a City upon the Frontiers ) sent a Message about it; because they were Christians, and neither opened Temples nor sacrificed, he threatend that he neither would give them any Aid, nor receive their Message,

nor

\* *mon.*  
*Sozom. lib.*  
*5. c. 3.*

‘ nor come into their unhallowed and ac-  
 ‘ cursed City, till such time as they would  
 ‘ be perswaded to turn Heathens.

‘ And objecting the like Faults to the  
 ‘ Citizens of *Constantia*, he gave away  
 ‘ their City to the Men of *Gaza*. For,  
 ‘ whereas that City was the Sea-port to  
 ‘ *Gaza*, and therefore called *Majuma* :  
 ‘ *Constantine* understanding that it had  
 ‘ a very great Regard for the Christian  
 ‘ Religion, advanced it to the Dignity of  
 ‘ being a City, and called it by the Name  
 ‘ of his Son *Constantius* ; accounting it  
 ‘ an unjust thing, that it should be subject  
 ‘ or tributary to the Men of *Gaza*, who  
 ‘ were bigotted Heathens. But as soon  
 ‘ as *Julian* came to the Empire, the Men  
 ‘ of *Gaza* commenced their Suit against  
 ‘ the *Constantians*. And *Julian* himself  
 ‘ sitting Judg, annexed *Constantia* to the  
 ‘ City *Gaza*, tho about two Miles di-  
 ‘ stant from it, which being deprived of  
 ‘ its former Name, is now called the Ma-  
 ‘ ritime part of the City *Gaza*.

*Ibid.*

‘ About the same time *Cesarea*, that  
 ‘ great and wealthy City, and *Metropolis*  
 ‘ of *Cappadocia*, was by *Julian* struck out  
 ‘ of the Catalogue of Cities, and deprived  
 ‘ of its Denomination from *Cesar*, which  
 ‘ it had under *Claudius*, its Original Name

*Sozom. lib.*  
 5. c. 4.

being *Mazaca*. For he had formerly  
 born an implacable hatred against the  
 Inhabitants, because they were generally  
 Christians, and had formerly destroyed  
 the Temples of *Jupiter*, Patron of their  
 City, and *Apollo* Guardian of their Coun-  
 try. And because withal the Temple of  
 Fortune, which only was left standing  
 in his Reign, was overthrown by the  
 Christians, he was grievously enraged  
 at the whole City; and chid the Hea-  
 thens that were there very severely,  
 tho' they were few in number, that they  
 did not revenge it; and if any Calamity  
 was to have been suffered, that they did  
 not undergo it readily for the sake of  
 Fortune. Whereupon he ordered all the  
 Goods and Money which belonged to  
 the Churches of *Cesarea*, and those that  
 were in the Confines of it, should be  
 discovered by Tortures, and brought  
 forth into the midst. That they should  
 presently pay three hundred pounds of  
 Gold to the Treasury: That all the  
 Clergy should be entred into the Roll  
 of Souldiers which served under the  
 Governour of the Province, which is  
 look'd upon as very chargeable, and ve-  
 ry disgraceful in the Roman Armies:  
 And that the multitude of Christians,

with

' with their Wives and Children, should  
 ' be taxed, as they are in Villages. And  
 ' moreover, he threatned them, and bound  
 ' it with an Oath, that unless they sud-  
 ' denly rebuilt these Temples, he would  
 ' not leave raging and plaguing them;  
 ' and that the *Galileans* should not keep  
 ' their Heads upon their Shoulders, for  
 ' so in scorn he called the Christians.  
 ' And perhaps he had been as good as  
 ' his word, if he himself had not the soon-  
 ' er come to his end. Thus far the Hi-  
 ' storian. It is worth the while to read  
 ' what *Gregory* says, in a very pleasant way,  
 ' concerning this last Passage. ' As for  
 ' what *Julian* did to my Country-men  
 ' the *Cesareans*, those generous and zea-  
 ' lous Christians, which were so harassed  
 ' by him, perhaps it is not fit to be men-  
 ' tioned by way of Reproach: For he  
 ' seemed to be justly angry upon *Fortunes*  
 ' account, who was unfortunate in a fortu-  
 ' nate time, and so to have proceeded to  
 ' this Recompence: Because one must  
 ' yield somewhat to Injustice when it is  
 ' got into Power.

*Inveit. 1.*  
 p. 91.

## CHAP. VII.

*His Arts divide the Church.*

**J**ulian's whole design was to have the Christians ruined; but no doubt it would please him best, if he could contrive and order the matter so, that they should do it themselves, and fall by their own Hands: and therefore he took all the ways he could think of to embroil them, and engage them in a Civil War of Contention among themselves. Because in all other things he vexed and afflicted the Church, and never meant any thing but Mischief; *Sozomen* is thereby induced to believe, that his very calling home the Orthodox Bishops was not out of any Kindness to them, but with an intent to revive the Quarrel betwixt the Orthodox and the *Arians*, that in the Scuffle they might both lose their Religion: Or else, as he adds, that he might cast a Reproach upon *Constantius* for banishing them. For *Julian* took all occasions to blacken both *Constantius* and *Constantine* the great; and by traducing these, who were the happy Founders of the Christian Establishment, he laid the

Ax

*Sozom. lib. 5.  
c. 5.*



Ax to the Root of the Tree, and wounded all sorts of Christians at once. In his *Cæsars* he represents *Constantine* in the same manner as the Papists use to do our *Henry* the Eighth; and else-where he wishes his Enemies instead of one *Constantine*, a great many. And by the way, we owe as little Thanks to them, who call themselves Protestants, and yet at every turn dare vilifie the blessed Instruments of our Reformation; when such a sweet Prince as *Edward* the Sixth, cannot escape their virulent Pens, nor the Memory of the glorious *Elizabeth*, from being assaulted with their false and foul-mouth'd Slanders. I am sure the Homilies teach them another Lesson, and put better words into their Mouths. 'Hounour be to God, who did put Light in the Heart of his faithful and true Minister, of most famous Memory, King *Henry* the Eighth, and gave him the Knowledge of his Word, and an earnest Affection to seek his Glory, and to put away all such Superstitious and Pharisaical Sects by Antichrist invented (speaking of their Monks and Friars) and to set up again the true Word of God, and Glory of his most blessed Name; as he gavethe like Spirit unto the most noble

Third part  
Sermon of  
Good Works.  
Tom. 1.  
p. 38.

' noble and famous Princes, *Jehosaphat, Josias*, and *Ezechias*. To return from this necessary Digression : *Julian* never shewed Kindness to Orthodox or *Arian* ( old *Elizabeth Church-of - England - Man*, or *Laudensian*, as we are now taught to speak ) but in order to destroy them both ; which appears by this, that when he found they both agreed to preserve Christianity, he presently fell to picking Holes in their Coats, whom he had lately restored ; and *St. Athanasius* particularly made a very hard Shift to escape with his Life.

Just so kind he was to the People of *Bosra*, when he took their part against their Bishop *Titus* ; who, as he pretended, had accused them of being seditiously inclined ; the Story is thus. *Julian* understanding that there was a great number of Christians in *Bosra*, threatened *Titus* and his Clergy, that they should answer for it, in case the People were guilty of any Stir or Sedition. *Titus* and his Clergy send a Writing to the Emperour, wherein he testifies, That the Christians indeed were equal in number to the Heathens, and one to one, but nevertheless were very quiet, and, led by his Admonitions, had not any manner of seditious Intention. Out of

*Sozom. lib. 5.  
cap. 14.*

of these very words he contrived to bring *Jul. Ep. 52.*  
*Titus* into the hatred of the People, and writing to them, represented him to be no better then a base Informer against them, as if they were restrained from Sedition, not by their own Inclination, but by his Admontions; and therefore by his Proclamation, commanded them to drive their Enemy and Accuser out of their City.

Now *Sozomen*, in the same Chapter, tells you the Mystery of this pretended Zeal for to have the *Bosfrians* do themselves right. '*Julian* used all Diligence to drive the Bishops and Clergy from the Cities. And to tell you the truth of the matter, he indeavoured, by their Absence to dissolve the Assemblies of the People, and their meeting at Church. For by that means they could have no body to assemble them, nor preach to them, nor could they receive the Sacrament, and so in Tract of Time would forget their Religion.

## CHAP. VIII.

*His Edicts.*

**I** Come now to his Laws, some of which seem at the first sight to be light and frivolous, and yet carry a Sting with them; whereby they were the fitter for *Julian's* purpose, which was to do the Christians what Mischief he could, with as little noise as he could. His first Edict commanded that the Christians should be called *Galilaans*. *Gregory* indeed looks upon this as a ridiculous Law, and rather like a childish or waggish Conceit than an Edict, and so all wise Men will account it, and yet withall it was a very popular way of disgracing the Christians, and consequently of weakening and destroying them. For every body knows that so much Reputation is so much Power, which is like to be little enough, when Men are once made a publick Scorn. By this Device *Julian* both assaulted the Constancy of weaker Christians, who cannot all of them digest Reproaches, and despise the Shame as their great Master did; and likewise laid a great Stumbling-block in the way of all Converts to Christi-

*Inveſt.* 1.  
p. 81, 82.

Christianity. For a reproachful Name is the same with the Disguise of an ill Dress, which is always to the disadvantage of him that wears it. This the Popish Inquisitors understand very well, no Men in the World better, when they clap a *Sanbenit* upon the Back of a poor condemn'd Heretick, to make the People believe, the Wretch has as many Devils within him, as they see there pictured upon his Frock. And in Queen *Mary's* days the like course was taken to run down the Protestants with reproachful Names. Their religious Assemblies were by Law called *Conventicles*, their Common-Prayer Fantastical and Schismatical Services, and themselves Hereticks, which of the two is a worse name than *Galileans*, for it implies all those Devils, which the *Sanbenit* represents, and is indeed but another unblest Coat to burn Men in.

His next Edict prohibited Christians from being Schoolmasters and Tutors, and having the education of Youth : which was a great temptation to the Learned Men amongst them to turn Heathens for a Livelihood : but if he failed in that design, as for the most part he did, this was nevertheless a sure way to keep the Christians low and ignorant, and at length  
to

to bring darkness upon the face of the Church. One *Proæresius* indeed, notwithstanding this Edict, had the liberty given him by *Julian* to continue in his Profession; but he generously refused it, and would not receive the Favour at his hands: For which *St. Jerom* has Chronicled him, to his immortal Honour.

*Hieronym.*

*Chronic.*

*Anno 366.*

' *Proæresius* a Sophist at *Athens*, when a Law was made that no Christian should be a Teacher of the Liberal Arts, and *Julian* gave him a special Licence, that tho he were a Christian he might teach, of his own accord left his School. This was the temper of those Christians; they were so far from courting an Enemy to their Religion, that they scorn'd the very Favours which he offered them: and for doing the contrary, as I have heretofore mentioned, the *Donatists* carried a Brand of Infamy along with them for some Generations. Nay, *St. Chrysostome* upbraids the very Jews with those Favours, which they were willing to receive from him who was a wicked Pagan, and for imploying his impure hands to build their Temple. You see they thought it a reproach, even to a Jew, to desire or make use of his kindness.

*Chrysost.*

*Orat. adversus*

*Judeos*  
3 id.

To return to *Julian's* Edict: *St. Chrysostom* reckons up the Physicians likewise amongst those which were put out of their Employments; whereby they also had the temptation of changing their Religion. And all other Christians had this further Difficulty put upon them: Either to want the help of a Physician in the extremity of Sicknes, or else to trust their Lives in the hands of their Enemies: in which case, to speak modestly, one Heathen hand might easily kill ten Galileans. If *Julian* had been that Mirrour of Justice which the Heathens cried him up for, he would at least have made another Edict, commanding the Christians never to be sick.

*Chrysost.*  
*Hom. 40.*  
*de SS. Juv.*  
*& Max.*

In his next Edict he proceeded to disarm the Christians, by putting them out of all places in the Government and Militia, which he did with this plausible Pretence, that the Christian Religion did not permit them to use the Sword. It seems it was his Notion too, that Christianity was to be a suffering Religion, and he made it so before he had done with it. Bishop *Jewel* has fully exprest the purpose and design of the foregoing Edicts in these words 'He gave Command  
' That no Christian Man's Child should

*Socrat. lib. 3.*  
*c. 13.*

*Bp Jewel*  
*Serm. p. 165*

‘go to School (*so he understood it*) de-  
 ‘vising thereby to keep them rude and  
 ‘barbarous; that no Christian should bear  
 ‘Office, or live in any manner of Autho-  
 ‘rity, thereby to make them vile: that  
 ‘they should never be Captains or Soul-  
 ‘diers, that so they might be kept in  
 ‘weakness.

Hitherto the Goods of the Christians  
 were in peace: but *Julian* having thus  
 disarm’d them, presently fell to dividing  
 the Spoil. He took the Revenues of the  
 Church and applied them to the mainte-  
 nance of Heathen Priests, as having first  
 belong’d to them. He took away their  
 Church-Plate, (for which *Gregory* calls  
 him *Nebuchadnezzar*) as being too rich  
 for the Son of *Mary* to be served in. By  
 an Edict he sent his Souldiers to plunder  
 their Publick-Stock, and to ease them of  
 their Money, that they might go the lighter to  
 Heaven, as his words were upon a like oc-  
 casion. He levied Money likewise from  
 those that would not sacrifice, to supply  
 him in his War against the *Persians*. And  
 this Exaction, says *Socrates*, was screwed  
 up upon those that were true Christians:  
 for every one paid according to the pro-  
 portion of his Estate. And *Socrates* tells us  
 moreover, ‘That the Christians were op-  
 ‘prest

*Invect. 2.*  
*p. 111.*

*Julian Ep.*  
*43. Eccebolio.*

*Socrat. lib. 3.*  
*cap. 13.*



‘preſt very much beyond what the Em- *Socrat. lib. 3.*  
 ‘perour’s Edicts required, but though he *cap. 14.*  
 ‘knew it, he did not regard it : and when  
 ‘the Chriſtians came to him about it, he  
 ‘told them, *It is your part when you are ill*  
 ‘*uſed to bear it ; for this is the Command-*  
 ‘*ment of your God.* As good paſſive Do-  
 &trine as a Man would deſire ; only Ju-  
 lian was fain to be his own Chaplain, and  
 to preach it himſelf.

After his return from Perſia, Julian in-  
 tended to have ſo ſtraitned the Chriſtians,  
 by ſome other Edicts, that they ſhould  
 hardly have breathed : for he would have  
 denied them the liberty and freedom of  
 common life. He reſolved to drive them *Inveſt. 1.*  
 from all Aſſemblies, Markets, Publick- *p. 93, 94.*  
 Meetings, and even from the Courts of  
 Juſtice ; for no Man ſhould make uſe of  
 theſe, who would not ſacrifice upon an  
 Altar which ſhould be there placed. Up-  
 on this occaſion St. Gregory cannot con-  
 tain himſelf, but breaks forth into an Ex-  
 clamation, That he ſhould offer to bar  
 the Chriſtians from the benefit of the  
*Laws* ! which were intended for all Free-  
 men to enjoy equally, and upon equal  
 terms, as they do a proſpect of Heaven,  
 or the light of the Sun, or the common  
 Air.

## CHAP. IX.

*His mingling Heathenism with Laws.*

None of *Julian's* Laws drew Blood, unless it were in the forcible and barbarous execution of them ; nor indeed was it his business to make Sanguinary Laws against the Christians, and to destroy them fairly ; ( which he might have done with a dash of his Pen, and with as much ease as he could speak or write ) for then he had proclaimed himself a Persecutor, and them Martyrs, which was an Honour, says *Gregory*, which the Gentleman envied the Christians. It was therefore more agreeable to his treacherous Malice, to do the thing, and not to be seen in it, and to put the Christians to Death, not as Martyrs, but as unpitied Malefactors. In order to this, he twisted Heathenism so artificially with the legal expressions of their Loyalty and Duty, that it was impossible to separate them ; but they must of necessity either offend against the Laws of God, or the Laws of the Empire. He did this particularly in that famous contrivance of his Pictures, which he had so clogg'd with Idolatry, in joining

*Orat.* 10.  
*in Caesar.*  
*p.* 167.

*Inv.* 1. *p.* 83,  
*84. Sozom.*  
*lib.* 5. *cap.* 16.

joining the Figures of the Heathen Gods with his own, that the poor Christians were reduced to this strait ; either to rob God or the Emperour of his Honour ; and either to sin as Idolaters, or suffer as Traitors. But all the good Christians of that Age determining their Choice to the latter of these two, have thereby taught us, that our Duty to Man ceases, when it becomes inconsistent with our Duty to God ; and that when our Religion is concern'd, we must beg our Temporal Lord's excuse, as *S. Austin's* distinction is. Those Christians never valued themselves upon a false and hairbrain'd Loyalty to the prejudice of their Religion ; but on the other hand, they would not render unto Cesar the things which were Cesars, when in so doing, they must of necessity alienate from God the things which were God's : when they found *Julian* in company with Heathen Gods, and when he had inseparably interwoven his own lawful Rights with Idolatry and with the Worship of those false Gods.

*August. in  
Psal. 124*

In this place it will not be improper to mention an other device of his, whereby he mingled Heathenism, not as before with the Laws of the Empire, but with

*Theod. l. 3.*  
c. 14.

the more rigorous Laws of Nature 'For,  
' as *Theoderet* tells us, he defiled the Foun-  
' tains that were in *Antioch* and *Daphne*  
' with impure Sacrifices, that every one  
' who used the Water might take part of  
' the Abomination. Afterwards he filled  
' with pollution all things that were to be  
' sold in the Market: for the Bread, and  
' Meat, and Fruits, and Herbs, and all  
' other things that were to be eaten, were  
' sprinkled with Holy-Water. They that  
' were called by the name of our Saviour,  
' seeing these things, groaned indeed and  
' made lamentation, detesting what was  
' done: but withal they eat of them, obey-  
' ing the Apostle's Law, for says he, *all*  
' *that is sold in the Shambles, eat, making*  
' *no difference for Conscience sake.* *Julian*,  
no doubt, by this barbarous act, intended  
either to starve the Christians out of their  
Religion, or at least to perplex them, and  
to render their lives uncomfortable. For  
how great an affliction this was to the  
Christians, and how much they laid it to  
Heart, appears by this instance which im-  
mediately follows. ' There were two Per-  
' sons of no mean account in *Julian's* Ar-  
' my, for they bore Shields, and were of the  
' Emperour's Lifeguard, who, being at a  
' Feast, did more bitterly bewail the abo-  
' mination

*Ibid.*

'mination of those things that were done,  
 'and made use of the admirable expressi-  
 'ons of the young Men that behav'd  
 'themselves so bravely in *Babylon*; For  
 'thou hast delivered us, said they, to an un-  
 'righteous Emperour, an Apostate beyond all  
 'the Nations of the Earth. Some body that  
 'sat at the same Table informed against  
 'them: whereupon *Julian* presently has  
 'these brave Men brought before him,  
 'and askt them what they had said? They  
 'taking the Emperour's question for an  
 'occasion of speaking freely, whetting a  
 'Zeal which was praiseworthy, said after  
 'this manner: O King we having been bin-  
 'bred up in the true Religion, and having  
 'lived under the commendable Laws of Con-  
 'stantine and his Sons, are grieved to see all  
 'things now filled with abomination, and our  
 'meat and drink defiled with accursed Sa-  
 'crifices. We have lamented these things at  
 'home, and do now bewail them in thy pre-  
 'sence. This is the only grievance we have  
 'under thy Government. The most meek  
 'Person, and the most a Philosopher (for  
 'so he was called by those that were like  
 'himself) laid by his Vizor of Clemency,  
 'and shewed a bare face of impiety: and  
 'ordering them to be grievously used, he  
 'deprived them of t his present life; or  
 D 4 rather

' rather he delivered them from those Calamitous times, and procured them the  
 ' Crowns of Conquerours. And he fitted  
 ' an accusation to answer to their punishment : for he did not charge them with  
 ' their Religion, upon account of which  
 ' they were cut off, but with ill language ;  
 ' for he said they were punished for reviling the Emperour. He commanded  
 ' this Accusation to be published abroad,  
 ' envying the Champions of Truth the  
 ' title and honour of Martyrs. Their  
 ' names were *Juventius* and *Maximus*. The  
 ' City of *Antioch* honouring these Men as  
 ' Champions of the true Religion, laid  
 ' them up in a costly Tomb, and to this  
 ' day they are honoured with an anniversary Holiday. Now this was right *Julian*,  
 to give publick order that the Christians  
 should not be forced to sacrifice against  
 their wills, and yet to find out such indirect  
 ways of cramming his Heathenism  
 down their Throats.

For Affinity sake I shall here set down  
 the snare of his Donative to the Souldiers,  
 which was strangely complicated, and full  
 of Invention. For there was in it an appearance  
 of Law, there was the Awe of the Emperour's  
 presence, there was the temptation of Mony, and withal there was

a perfect surprise in it. It was a custom for the Emperour at some solemn times to bestow a Largess upon the Army, and accordingly there was a day set for *Julian's* Donative. Whether it were an Anniversary solemnity, or whether *Julian* took any other day that came next to hand on purpose for this wicked prank, *Gregory* cannot tell. But when the day came, He himself sate in great State and Majesty, in the place where the Souldiers were to receive their Money, with an Altar before him, and Frankincense and Gold ready placed. And when the Souldiers came in, there were Officers ready to prompt and manage them in the form they were to observe; which was, first, to throw a little Frankincense upon the Altar, and then to take their Money, which was placed at the Emperours right hand. Those Christians, who had notice before-hand of this contrivance, found excuses to absent themselves; but the others who knew nothing at all of it, were miserably caught. For, first of all, they had no time to consider or deliberate whether it were lawful to throw this Frankincense on the Altar or no, and were plainly hurried to it: there was the sight of their Money to prevent all such troublesome scruples; and the

*Invect.* 1.

pag. 84, 85.

*Theod.* l. 3.

c. 15, 16.

the Emperour looking on to over-awe them: and there was a very probable shew and appearance (as *Gregory's* words are) that this was the Law of the Emperour's Donative, at least in the more ancient and honourable way. But when these unhappy Men came afterwards to understand what they had done, and were made sensible that they had Sacrificed, and in effect renounced Christ, there followed one of the saddest Scenes that ever the World saw. For they presently broke out into the most doleful lamentations, and fell to tearing their Hair off their Heads, and ran up and down the Market-place, recanting what they had done, and crying out, *they were Christians*, and that they were over-reach't and decieved by the Emperour's Wiles. With these outcries they went to Court, exclaiming against the Fallacies and Juggles of the Tyrant: they threw him back his Money, as *Gregory* tells us, and desired to be burnt, out of indignation against themselves for what they had done; that being polluted by one Fire, they might be purged by another. These and the like words made *Julian* mad; who thereupon ordered them to be beheaded: but when they were at the place of Execution, and

*Romanus*

*Ibid.*



*Romanus* the youngest of them (who, at the request of the oldest Christian, was put to dy first, that he might not be dismayed with seeing the other Executions) was kneeling down, and the Executioner just drawing his Sword, there came a Messenger in great haste to stop the Execution, which Reprieve the young Man was troubled at, and said, *No truly, Romanus was not worthy to be called a Martyr of Christ.* However *Julian* Banished them to the farthestmost part of the Roman Empire; that is, says *Gregory*, he did them the greatest favour in the world, to send them a great way off, out of the reach of his Pollutions and of his Snares.

#### CHAP. X.

*His turning innocent actions into crimes.*

**I** Am come now to the last and most effectual means, which *Julian* used, of destroying the Christians; and that is in one word, by turning the most innocent, lawful, and commendable actions of their whole lives into capital Crimes. As *Gregory* says, 'It was his device and contri-

vance that we should not so much as  
'have the honour, which belonged to the  
'combats

*Orat. 10. in  
Caesar. p. 167*

'combats of Martyrdom (for the Gentleman envied the Christians that) and he ordered it so, that those who suffered for their Christianity, should be punished as evil doers. And truly there was no need for *Julian* to take upon him the odium and disgrace of putting Christians to death for their Religion, contrary to his publick and repeated Declarations, which promised them all security, when he had more plausible Pretences at hand, and might execute them as Sacrilegious Wretches ; and so cut off both their Lives and Reputations at one blow. It's true, if the Christians had been really guilty of Sacrilege, their blood had been upon their own heads, and they had died justly ; but there was nothing at all of that, it was all Sham, and Juggle, and Pretence.

When *Constantine* the Great was converted to Christianity, he presently learn'd it was his duty to suppress Idolatry, in which he proceeded very far ; in some places destroying Temples, in some places again only shutting them up, and for the most part taking out the Images, and spoiling them of their Religion, by making them serve for common and ordinary Statues. His Son *Constantius* went farther

ther in destroying these Nests and Imple-  
ments of Idolatry, and gave the Christi-  
ans Authority to pull down Temples, and  
build Churches in the place of them ; to  
throw down Altars, and break Images in  
pieces ; and so, as far as it was possible, to  
drive Heathenism and root the memorial  
of it out of the World. Instead of a num-  
ber of Proofs which I could produce, I  
shall give you this one clear Testimony,  
that the Christians were impowred to do  
this : *Gregory*, speaking of *Marcus* Bishop  
of *Arethusa*, has these words ; ‘ This Per-  
‘ son in the Reign of the famous *Constan-*  
‘ *tine* , in pursuance of that Authority  
‘ which was then given to the Christians,  
‘ destroyed a certain House of Devils, and  
‘ built a Church in the room of it.

*Inu. I. p. 88.*  
κατὰ τὴν  
τοῦ Σεβαστου  
ἱερωσύνης χρι-  
στου.

*Julian* afterwards comming in an ill  
hour to the Throne, and professing him-  
self a Pagan, gave order to have the Tem-  
ples opened, the Gods worshipt, and Fires  
to be new kindled upon the Altars. But,  
alas, the Heathens in some places had no  
Temples to open, in others their Gods  
were flown, and their Altars demolish'd.  
Hereupon they revenge the quarrel of  
their Gods, as *Julian* words it, and bar-  
barously murder, and more barbarously  
torture those who had been most active  
in

*Hom. de Ju-  
vent. &  
Max.*

in making havock of their Idols. This way of proceeding would not do every where, and might be of ill consequence where the Christians were too many for the Heathens; and therefore *Julian* has this further fetch, he reckons with the Christians for Sacrilege, and fairly dispatches them by Law. As *St. Chrysostom* tells us, 'If any one in former times, when ' Godly Kings had the Government, had ' either broken their Altars, thrown down ' their Temples, taken away their Oblations, or done any such thing, he was presently hurried away to the Tribunal: ' and sometimes the innocent were executed, when they were barely accused. The Innocent, that is, those that never did the matter of Fact: for it is plain that none of them were guilty of Sacrilege. What stealing or pilfering of holy things could that be, when they publickly destroyed things detestable, and devoted to destruction, and were armed with Authority so to do? But if *Julian's* Judges were minded to say Ears were Horns, who could help it? And I doubt not but the Papists, when time serves, can frame as good an Inditement of Sacriledg against those, who have reformed their Idolatrous glass Windows, or burnt Crucifixes,  
our

our Saviour, as they term it, in Effigie, or even the Bawble of *Barkin* : Nay I doubt not, but they can make a Riot of Mens going to Church, and find away to destroy us by those very Laws, which were made for our safeguard and protection.

St. *Chrysostom* speaks as if very great numbers of the Christians had Suffered for Sacrilege, and by this single passage it will appear, with what Infamy they fell, and under what Character they stand recorded in History. ' At the same time, ' says the Historian, *Artemius*, who had *Amm. Mar-*  
 ' bin Duke or General in Egypt, was Be- cel. p. 240.  
 ' headed, the *Alexandrians* accusing and *Alexandri-*  
 ' loading him with a great heap of horri- nis urgenti-  
 ' ble Crimes. Now *Theodoret* will tell us bus atrocium  
 what horrible Crimes he was charged crimin. mole.  
 with. ' *Julian* not only stript *Artemius* of *Theod. lib. 3.*  
 ' all that he had, but also severed his head cap. 17.  
 ' from his body, *because* (when he had his  
 ' Government in Egypt under *Constantius*)  
 ' he had broken very many Idols. One  
 would have thought by *Ammianus's*  
 words, that *Artemius* had been some Mon-  
 ster, made up of all the seven deadly Sins;  
 but it seems the whole business amounts  
 to no more than this, that he was a Good,  
 Godly, Lawful, Wicked, Prophane, Sa-  
 crilegious Image-breaker.

So

*Hom. 40. de*  
*SS. Juvent.*  
*& Max.*  
*P. 549.*

*Greg. In. 1.*  
*p. 91, 92.*  
*Soz. l. 5. c. 8.*

So much for Sacrilege. At another time Treason or Rebellion is the Word, and then the Christians go to wrack for that. *Juventinus* and *Maximus*, as we have seen before, fell under that accusation. And it is very plain that those other, whom St. *Chrysostom* mentions in his Homily upon those two Martyrs, suffered also for the like Crime. 'When these two  
 'Men were in Prison, says he, the whole  
 'City flockt to them, notwithstanding the  
 'great terrors, and threatnings, and dan-  
 'gers which hung over their Heads, who  
 'should come at them, or discourse them,  
 'or have any communication with them.  
 'But the Fear of God dispelled all those  
 'things; so that because of them many  
 'were made Martyrs for conversing with  
 'them, despising this present Life. We  
 have another instance of this at *Gaza*,  
 where the Governour went the middle  
 way betwixt the times and the Laws  
 (though rather inclining towards the  
 Times) for having executed a great many  
 Christians, he punished but a few of the  
 Heathens. They seem to be punished on  
 both sides for the same Crime, the parti-  
 ality and disparity lies in the numbers :  
 so that the case is thus. The Heathens  
 raise a Riot, and commit outrages upon  
 the

the Christians, killing several of them; the other poor Christians make what defence they can to save themselves, but they had as good not: for they shal suffer in great numbers for this Riot, and the mouth of the Law shal be stopped with a very few of the Heathens that began it. This was the motly Justice of *Gaza*; but when the Case comes to an hearing before *Julian*, he storms and says, The Governor ought to be hang'd for punishing any of the Heathens at all: for they did but their duty; the Galileans were well killed; nay, the Work was meritorious, the Heathens not only righted Themselves, but their Gods too. Those Christians, who in *Julian's* time fled into Deserts, and took up their habitation in the Wilderness (as *St. Chrysostom* assures us several did) were certainly in the right: for there, if they made their escape from a Beast of Prey, they were safe for that time, and needed not to fear answering for it: whereas they that rescued themselves from *Julian's* Blood-hounds, only reserved themselves for a more infamous Death, and to be executed as Rebels: Just as much Rebels, as the former were Church-robbers; who were executed in-

*Ibid.**Orat. adversus Judaeos tertia.*

E

deed

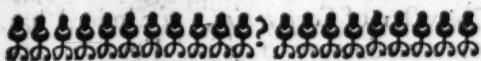
deed by a lawful Governour, and in a  
form of Justice, but not according to  
Law, nor to satisfie that, but to serve  
the Times.

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AN

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# ANSWER TO

*Constantius the Apostate.*

**I**T would be endless to confute the gross Errors and wilful Mistakes of which this Book is, for the most part, composed; and therefore I shall think it sufficient to shew that the design of the whole is nothing but Fraud and Imposture; wherein a Christian Emperour is made an Apostate, and worse than he was, only to render the Christians that lived under him the more eminently passive. Which may be done, by shewing these two things. First, That this Author has not given a true Character of *Constantius*: Nor secondly, Of the Fathers that lived under him.

1. This Author has not given a true Character of *Constantius*, nor indeed has he taken the way to do it. For first, He takes a great part of that Character out of *Ammianus*, a bigot Heathen, who had a *Hero* of his own to set off, by the shadowing and black Strokes which he bestowed upon *Constantius* and *Jovian*: Which is much the same, as if a Man should write the Life of Queen *Elizabeth* out of the Memoires of the Jesuits. 2. He imputes to *Constantius* all those Cruelties, which were acted during his long Reign by any of the *Arians*, though I am sure, he cannot prove that *Constantius* any way encouraged very many of them. For on the other hand, when he found his Authority had been abused to mischievous purposes, he would never forgive it in his greatest Favourites, as I might instance in *Macedonius*, for whom upon such an occasion he had an Aversion ever after. Now if you draw together all the ill Humours which are dispersed in a Man's whole Body and make them settle in his Face, it will certainly make him look very ugly. I grant, *Constantius* had Faults, but withall they are not so much to be imputed to any wilfulness in him as to his Weakness, which was continually wrought upon

upon by some subtle *Arians* which were about him, to the Disturbance of the Church. However take him with all his Faults, and still he is a Saint to *Julian*; and so the Fathers make him, when they mention both at the same time. When they had an Apostate in earnest, then *Cyprian* had never done them any wrong, and then they wish'd for him again. And *Theodore* gives a very fair account of him, and represents him as a Prince who had a great sense of Religion, giving this for an Instance, That he caused his whole Army in one of his Expeditions to receive the Sacrament of Baptism, and would not allow any Souldier to stay with him, who would not put himself into that good Posture and Preparation for Death. 'Tis true, he dealt hardly with several Orthodox Bishops, and oppress'd them contrary to Law or Equity, particularly *Athanasius* and the other banish'd Bishops; and I must grant this to be true for their sakes. For otherwise there never was such a sort of Passive Subjects in the World, and they would be ten times worse than this Author has made *Constantius*; and even as they are, I desire this Gentleman and Mr. Long to take notice that I disclaim them, and do by no means propound them

*Jul. Misop.*  
P. 89. lib. 3.  
cap. 3.

as Examples, but shall set down their Words as matter of Fact only. And with this necessary Proviso, that the Sayings of their own Holy Fathers may not be treacherously turn'd upon me, as Mr. Long knows one of *Sozomen's* has been, I come to the

2d Thing; That this Author has not given a true Character of the Fathers under *Constantius*. He tells us, *Pag. 17. The Conduct of all the Fathers that lived under Constantius was such, that all the Cruelties which that Apostate Emperour could inflict, did not extort the least mis-becoming Expression from them. And Pag. 37. All their heavy Grievances did not make them remonstrate to the Decrees of their Emperour; they did not make their Pressures just, by impatiently submitting to them. In short, a discovery of the Passive Obedience of these Fathers, was the glorious end of his Book; as that Obedience he else-where tells us, is the glorious End of Religion; and had it not been for this, Constantius had never been made an Apostate.*

*Epist. dedic.*

There were about half a dozen Orthodox Bishops who suffered Banishment; for I will not reckon Pope *Liberius* nor *Hosius* into the number, as our Author does, because they both subscribed Heresie. Of all

all these there are but three that I know of, whose Writings have come down to us, and they are St. *Hillary*, *Lucifer Calaritanus*, and *Athanasius*; some of whose Expressions I shall here set down, and leave it to our Author to justify that they were not misbecoming.

I shall begin with St. *Hillary*, who has a little Book intituled, *Contra Constantium Augustum*, written in the Emperour's lifetime, notwithstanding the false Title which is now clap'd upon it (for it was written a Year before *Constantius's* Death, as appears by the Book it self) wherein he calls *Constantius Antichrist*, tells him, *He is the cruelest and wickedest of all Men, for he was such a Persecutor as deprived those that fell of Pardon and Forgiveness, and those that stuck to their Religion of the Honour of Martyrdom: But your Father the Devil*, says St. *Hillary*, *taught you this way of persecuting*. And presently after he accosts him thus, *Thou ravening Wolf, we see thy Sheeps clothing*. *Constantius* had said he would have no words used in matters of Faith, which were not found in Scripture, which made him reject the word ὁμοόσιον; but says *Hillary*, *I will shew the deceiptful Subtilty of your Diabolical Contrivance*. And not long after, *Know*,

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says

*Pag. 94. At nunc pugnamus contra Constantium Antichristum. Pag. 95. Sceleratissime mortalium, &c. vestem ovium Lupi rapax cernimus ibid.*

*Pag. 96. Sed  
diabolici In-  
genii tui, &c.  
intellige te  
divinæ Reli-  
gionis hostem,  
ibid.*

*Pag. 94. Ni-  
hil in tempora  
maledictum  
nihil famosum  
in Antichristi  
Synagogam  
scripsi aut lo-  
catus sum.*

says he, *that you are an Enemy to God's Religion and to the Memories of Holy Men* (I suppose he means the *Nicene Fathers*) *and are the Rebelious Heir of your Father's Piety.* If any Man pleases to peruse that Book, he will find much more of the same strain, together with *St. Hillary's* Reasons for using such Language after his milder and gentler Writings had done no good: for, as he thought Silence his Duty before, so now, as he tells us, he thought it his Duty to break Silence; and I leave the World to judg whether he does not speak our.

*Jerom. Cat.  
Eccles Writers.*

The next is *Lucifer Calaritanus*, of whom *St. Jerome* gives this account. *Lucifer Calaritanus was a Man of wonderful Constancy, and of a Mind prepared for Martyrdom; he writ a Book against Constantius, and sent it him to read, and not long after he returned to Calaris in Julian's Reign, and died in Valentinian's.* There is no one Book of *Lucifer* which bears that Title, but all his little Tracts being directed to *Constantius*, and written against him, *St. Jerome* calls them all one Book, and so does *Florentius* and *Lucifer* himself, whereas *Athanasius* calls them Books; which Variety is usual amongst the Antients, as *Jerome* calls *Gregory's* two Invectives a Book

Book against *Julian*. *Lucifer's* Books in defence of *Athanasius*, and his other Tracts have very severe and wounding Expressions in them; but the Book *De Regibus Apostaticis*, and the other *De non parcendo delinquentibus in Deum*, tell us beforehand what we are to expect from them, and proclaim themselves afar off. I shall give the Reader but a taste of them; and because Mr. Long says, I only weed the Fathers, I shall desire him to put those few Books into *English*, which is the best way of convincing the World that I pick out nothing but the worst. Thus therefore he speaks to *Constantius: Emperour, when you saw your self worsted on all sides by the Servants of God, you said, you had suffered, and do suffer despiteful Usage from us, contrary to the Admonitions of Holy Scripture, &c. If even any one of the Worshippers of God spared Apostates, let what you say of us be true. And in another place, Pray shew but one of the Worshippers of God that ever spared the Adversaries of his Religion. And then he reads him his own Doom out of Deut. 13. 1. If there rise among you a Prophet, or a Dreamer of Dreams, saying, Let us go after other Gods (for the Orthodox always charged the Arians with Idolatry) that Prophet, or Dreamer of Dreams shall be put*

Biblioth. ver.  
patr. Tom. 4.  
Colon. super-  
ratum te, Im-  
perator a Dei  
servis, &c.  
p. 164. B.

Des unum,  
quæso, qui  
pepercerit, &c  
p. 170. D.

Cognoscis  
quid pati ius-  
tas sis, p. 164.  
H.

Præceptum  
te interfici, &c  
p. 165. B.

Non conspicis  
quo possis pe-  
riri modo?  
Ibid.

— Videamus  
etiam quid  
tempore quo  
Conyranus  
tunc Antiochus  
&c sicut & nos  
tibi Deo propi-  
tio resistamus.

to death; you see what you are commanded to suffer. And again, Hear what God has ordained by Moles, is to be done with you for perswading me to revolt from God; Deut. 13. 6. If thy Brother, the Son of thy Mother, or thy Son, &c. entice thee secretly, saying, Let us go and serve other Gods, thou shalt surely kill him, &c. Here it is commanded that you shall be put to death for inviting me to forsake God. He ignorantly says, Lucifer uses me contumeliously, or will you deny that you have invited us to Idolatry? If you think fit to deny it, the Expositions of the Bishops of your Sect, those Fellow-Blasphemers of yours, shall convict you, &c. Do not you perceive what Darkness of Error you have run into? Do not you see which way you may perish?

And to avoid Prolixity, I will set down but this one passage more. 'Let us see  
' what they did, who remembred that  
' none was to be feared but God, in the  
' time when your fellow-Tyrant *Antio-*  
' *chus* was a Persecutor of our Religion;  
' but first you are to know what he, whom  
' you are like, ordained: for so you will  
' be able to understand, that those Ser-  
' vants of God, whom we desire to be  
' found like, did resist *Antiochus's* Sacri-  
' lege, even as we by the Grace of God  
' may



' may resist you. 1 *Maccab.* i. 43, to ver.  
 ' 29 of chap. 2. See the place. What have  
 ' you seen done by us like that passage,  
 ' that you are pleased to say, *Lucifer* uses  
 ' me ill? *Mattathias* kill'd with the Sword  
 ' not only the King's Officer, but him also  
 ' of his own Nation, whom he saw rather  
 ' obedient to the King's Laws than to  
 ' God's: whereas I, for resisting you and  
 ' your party with words, am judged by  
 ' you to be guilty of Contumelies. If you  
 ' had been in the hands of that same *Mat-*  
 ' *tathias*, who was zealous for God; or in  
 ' the hands of *Phinees*, to whom God  
 ' bears record by *Moses* in the Book of  
 ' *Numbers*, and should have gone about  
 ' to live after the manner of Heathens,  
 ' without doubt they would have killed  
 ' you with the Sword; I tell you over  
 ' again, they would have slain you with  
 ' the Sword. And I, because I wound  
 ' with words that Soul of yours which is  
 ' imbrued with the Blood of Christians,  
 ' am reckoned contumelious. Why, Em-  
 ' peror, do not you revenge your self of  
 ' me? why do not you please to defend  
 ' your self from ill usage, and to be aven-  
 ' ged of a beggarly Fellow?

In short, I challenge all the World to  
 shew me such a Book again, written by  
 any

Si fuisset inter  
 manus *Matta-*  
*thia* istius ze-  
 lantis Deum,  
 &c. sine dubio  
 te gladio in-  
 terfecerent, illi  
 te gladio fue-  
 rant interfe-  
 cturi. *Ibid.*

Pag. 186.

any Man concerning his Sovereign Prince while he was alive, much less sent to him for a Present. And therefore I do not wonder that *Constantius* could not believe that he himself sent it, tho it were brought in his Name : as appears by this Letter of *Florentius*, a great Officer at Court, to *Lucifer* : ‘ There was one presented a Book ‘ in your Name to our Lord and Empe- ‘ ror ; he has commanded it to be brought ‘ to your Sanctity, and desires to know ‘ whether that Book was sent by you : ‘ You ought therefore to write the certain ‘ Truth, and so send back the Book, that ‘ it may again be offered to his Eternity. To which Letter *Lucifer* returns this Answer : These are to inform your Religi- ‘ ous Prudence, that the Bearer of that ‘ Book, whom your Honour mentions to ‘ have come to the Emperor in my Name, ‘ was sent by me.

*Ibid.*

Pag. 186. F.

*Athanasius*, hearing of this Book sent to *Constantius*, desires *Lucifer* to send him a Copy of it in these words : ‘ We have ‘ advice that your Sanctity has written to ‘ *Constantius* the Emperor, and we won- ‘ der more and more, that living in the ‘ midst as it were of Scorpions, you not- ‘ withstanding use your freedom of mind ; ‘ that by Admonition, or Instruction, or  
‘ Cor-

' Correction, you may bring those that  
 ' are in Error to the light of the Truth.  
 ' It is my request therefore, and the re-  
 ' quest of all the Confessors that are with  
 ' me, that you would please to send us a  
 ' Copy of it, that they may all understand  
 ' the greatness of your Soul, and the con-  
 ' fidence and boldness of your Faith, not  
 ' only by hearsay, but from your own  
 ' Writings. Which accordingly he did  
 send him.

And now this Book is in good hands :  
 for the great *Athanasius*, who has been  
 misled by flying report to think well of it,  
 when he comes to examine it, and finds  
 it so contrary to the Evangelical Doctrine  
 of Passive Obedience, and to the Primi-  
 tive Practice of *nè verbo quidem reluctamur*,  
 which was, not to resist so much as  
 with a word speaking, and of so different  
 a stamp from some of his own smooth and  
 soft Sayings to *Constantius*, can do no less  
 then anathematize it, or write a Book  
 against it. And yet never trust me more,  
 if he and all his Confessors do not ap-  
 plaud and magnify it beyond all that  
 I have said of the Homilies. ' We have  
 ' received your Letter, and the Books of *Pag. 186. H.*  
 ' your most wise and religious Soul, in  
 ' which we have plainly seen the Picture  
 ' of

' of an Apostle, the Boldness of a Pro-  
 ' phet, the magistery of Truth, the Doctrin  
 ' of the true Faith, &c. You truly answer  
 ' your Name, for you have brought the  
 ' Light of Truth and set it upon a Candle-  
 ' stick, that it may give light to all. You  
 ' seem to be the true Temple of our Sa-  
 ' viour, who dwelling in you, speaks these  
 ' things *himself* by you. Believe me, *Lu-*  
 ' *cifer*, you alone did not say these things,  
 ' but the Holy-Ghost with you. How  
 ' came you to remember Scripture at  
 ' that rate? How came you to under-  
 ' stand the sense and meaning of it so  
 ' perfectly, if the Holy-Ghost had not  
 ' assisted you in it?

Sed Spiritus S.  
 tecum.

Well, having gotten such an infallible  
 Interpreter of Scripture as we cannot  
 meet with every day, if his Voucher say  
 true, let us see what he says concerning  
 that Passage of *Titus* 3. 1. with which  
*Constantius* had rubb'd him up for his Be-  
 haviour towards him, and had said, that  
 it was the Office of a Bishop according to  
 St. Paul, *To put Men in mind to be subject*  
*to Principalities and Powers, to obey Magi-*  
*strates, to be ready to every good Work, to*  
*speak evil of no Man, &c.* The Apostle, says  
 ' he, admonishes us to be subject in good  
 ' Works, not in evil, &c. I add further,  
 ' That

Pag. 178. D.  
 addo illud,  
 quod illorum  
 Principum &  
 magistratum  
 Apostolus fe-  
 cerit mentio-  
 nem, &c.

‘ That the Apostle spoke of those Princes  
 ‘ and Magistrates, who as yet had not  
 ‘ believed in the only Son of God, that  
 ‘ they by our Humility, and Meekness,  
 ‘ and suffering long under Adversity, and  
 ‘ all possible Obedience in things fitting,  
 ‘ might be won over to Christianity. But  
 ‘ if you, because you are Emperour,  
 ‘ feigning your self to be one of us, shall  
 ‘ force us to forsake God, and imbrace  
 ‘ Idolatry; what, must we quietly sub-  
 ‘ mit to you, for fear of seeming to neg-  
 ‘ lect the Apostles Precepts? Does not  
 he tell you as plainly as ever *Plowden* did,  
 that the case was alter’d?

Now suppose this *Lucifer* had after-  
 wards died in a Ditch, as he did not, but  
 in his own See, and in the Communion of  
 the Catholick Church; or suppose he  
 had afterwards been a Schismatick, as he  
 was not, but only some of his Friends,  
 who too far espoused his severe Opinion  
 against re-admitting the *Arian* Clergy in-  
 to the Communion of the Church; yet  
 this would not have affected his Book;  
 especially since the great *Athanasius*, who  
 before now, has been ballanced against  
 the whole World, has laid his hand upon  
 it, and given it his Blessing, and made  
 it his own by undertaking so largely for  
 it.

it. But as I said before, I have no further Use to make of these Fathers Writings which I have here cited, than only to shew that they run in quite another strain than the Apologies of the Fathers, who lived before the Establishment of Christianity, and that they are a compleat Answer to *Constantinus* the Apostate. Tho I could name other excellent Uses which might be made of them; particularly by those, who think themselves concern'd to stuff out their Sermons with *Dissenters Sayings*. For here they might have them in abundance, and by Clusters, without the trouble of gleaning them in Sermons, which were made in the Heat of a flaming unnatural War (when bloody things were done as well as said on both sides); and here likewise they might have such as might be repeated without the Breach of the Act of Oblivion, and without renewing such mischievous Heats amongst Protestants, as afterwards produced those *Sayings*.

Having thus defeated the chief purpose and main design of this Gentleman's Book, I shall give the Reader two or three Instances of what sorry Materials his Answer to my Book consists, which he had interwoven with every Chapter, and  
which

which if you please, you may call the under-plot of his Farce.

The strength of his second Chapter about Succession, lies in this passage, p. 12. *That the Christians in Julian's time were not for Exclusion upon the score of Religion: For not two years after Julian's death, Valens a furious Arian, and bitter persecutor of those that dissented from him, was peacefully admitted to the Empire, and assisted too by the Army; whom we cannot think in the least inclined to favour that Heresie (for they were Jovinians Souldiers) but they knew their duty to their Prince.* Now this is inexcuseable prevarication; for he knows, when *Valens* was admitted Emperor, he was neither furious *Arian*, nor any *Arian* at all; nor like to be a Persecutor of the Orthodox, for he was one of them himself, and so continued for a good while after. *Theodore's* words are these: *'Valentinian sending for his Brother out of Pæonia, (O that he had never done it!)* made him Colleague with him in the Empire, when he had not as yet imbraced a different Perswasion. *Lib. 4. cap. 5.* And a considerable time after, *cap. 11.* he gives an account of his turning *Arian*. Upon which Consideration, *Theodore* looks upon his being made Empe-

(ὡς ἐκ ἀφελῆ.)

roure as an ill day's Work, and what his own Brother ought not to have done.

Again; he has a pleasant Distinction, which I doubt not gives the intelligent Reader as good divertisement, as an Ass's mumbling Thistles gave the Philosopher; Pag. 16. *Theodoret* he finds commends the Antiochians for their Zeal, but not for their Rudeness: Whereas what he calls Rudeness; *Theodoret* in that place, makes the only Instance of their Zeal. And Pag. 23. he says, *Valentinian* had the Empire, not for striking the Priest, but for his Confession: whereas his striking the Priest, in Detestation of that holy Water wherewith he had sprinkled him, was his Confession, and he suffered his Imprisonment upon that account; and when *Theodoret* comes to give a Relation of his being elected Emperour, he then remembers this meritorious Act, and says, *They chose Valentinian, him that struck the Priest.* And so again *Theodorus's* Psalms will go down with our Author, because (he says,) *they were repeated with David's Spirit.* But why were not the same Psalms repeated with *David's Spirit* the day before, by the whole Church of *Antioch*? why were not *Publia's* Psalms repeated with the same Spirit? Why not  
*Gregory's*

Τὸν τῇ Χρῆσι  
 τοῦ ΡΕΛΗΘΕΟΥ  
 ΠΑΤΕΡΑ  
 lib. 4. cap. 5.

Pag. 25.



Gregory's Prayers, &c. with the same Spirit? For all these were taken out of David, and no looker-on can tell but that they were accompanied with his Spirit. However if they were not, it was their fault, who spoil'd good Scripture for want of Devotion, and a suitable frame of Spirit.

To conclude, he tells us, Pag. 32. That Constantius might kill Julian as a Rebel, and so his Right would fall of course, but he could not disinherit him as such, because God, tho he gave the Power of Life and Death to the Magistrate, hath yet reserved the disposing of Kingdoms to himself. Never was any Cause blest with such subtle Advocates! They contend that the Magistrate cannot disinherit, and yet in the same Breath they grant he can do that and ten times more; he cannot disinherit directly, and yet he can do it most effectually by the by; he cannot dispose of a Man's Fortune, but he can dispose of his Life and Fortune both: and their reason is, because God hath reserved the disposing of Kingdoms to himself. But does not this Exclusion by the by more effectually dispose of a Kingdom than

a Bill of Exclusion? He that stands only excluded, has still a Chance for it; but he that is disabled in this other way, can have none; there is no such Bar as that. In a word, the Power of Life and Death does manifestly over-rule all Reversions, and it is a Truth of Mathematical Evidence, That the longest Liver will have all.

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*Answer to the Chapter of Passive Obedience.*

**I** Come now to the last Chapter of this Author, which begins with Reflections upon the Behaviour of *Constantine's* Christians, of which he has brought in a very false reckoning, by writing down Passive Obedience for the Sum-Total of the Account; for it is evident that *S. Hilary, Lucifer, and Athanasius*, were not the most obedient Wretches that ever lived; but could make shift to use (what our Author calls it) *their Christian Liberty* in Latine, as well as *Julian's* Christians used it in Greek.

The Reason which I gave for solving that strange *Phænomenon* of the Behaviour of

of Julian's Christians, namely, that they were illegally oppressed, is unanswerable. For it is matter of Fact that the Christians were under the Protection of the Laws; their Religion stood unrepealed, though Heathenism was revived; nay, they were under the Protection of Julian's own Edicts; and yet contrary to the Faith of those Edicts, they were harassed and destroyed all over the Empire, by Julian's Connivance and secret Encouragement, in a base, under-hand, tricking, treacherous way: So that what the Christians suffered was the effect of Tyranny and bloody Oppression, and not of any legal Proceedings. And tho our late blundering Transcribers have not observed the different State of Christians, when they had the Laws against them, and when they had the Laws for them, nor their different Behaviour thereupon; yet learned Men in former times have, particularly Robert Abbot, the learned Bishop of Salisbury, in these words. *Atq; in hoc causa eorum à Veteris Ecclesiæ ratione distinguenda est, quæ absq; ullo Juris sui Titulo, mera Imperii placito subjacebat; quamdiu vero ita se res habuit, cædebantur Christiani non cædebant, qui tamen sub Constantino Principe jure publico Armati non*

*Jul. Ep. 43.  
Ecebolis Ep. 7.  
Artabio.*

*Dem. Antich.  
dedicated to  
King James,  
cap. 7. p. 93.  
92, 93.*

*tam cedebantur quam cedebant, &c.* When the Primitive Christians had not Law on their side, they *took* Blows and gave none; but when they had the Law on their side, they were rather for *giving* Blows than *taking* them. To say with our Author, that *Julian* might have made Sanguinary Laws against the Christians if he would, is to say nothing. For if our Author has an 100*l.* owing to him upon Bond, and because he does not care for the trouble of waging Law, and has declared against it; or, because he would have the honour of giving up this Bond, and frankly forgiving the Debt, shall thereupon go and steal this 100*l.* from his Debtor, and be taken in the Act, and treated as any other Thief, I can say nothing in his behalf; neither can I for *Julian*, who having the Law in his hand, notwithstanding for much the same Reasons persecuted the Christians by *stealth*, who thereupon presently raised Hue and Cry against him.

Greg. Orat.  
10. p. 166.

Greg. Orat.  
10. p. 166.

\* This he  
sufficiently  
acknowledges,  
p. 47. where  
he blames me  
for consulting  
Bracton, &c.

The next thing is, our Author's Discourse about Passive Obedience to no Laws, or Submission to illegal Violence: which having no Foundation in \* Law or Reason, but being contrary to both, all my Answerers have endeavoured to support

port with Religions Pretences; and to that purpose have quoted Ancient Fathers, and Modern Divines, and Scripture in abundance; which puts me in mind of *Pompey's Theater*, as Bishop *Jewel* tells the Story. 'There was sometime 'a Proclamation made in *Rome*, that for 'Considerations no Man should erect or 'build up any Theater, and that if any 'were set up it should be razed and pul- 'led down. *Pompeius* built a Theater, 'contrary to the Proclamation and Or- 'der before taken; but doubting lest 'the next Magistrates should destroy it, 'he caused a place of Religion to be set 'upon it, and called it the Temple of *Ve-* 'nus; whereby he provided, that if any 'would overthrow it because it was a 'Theater, they might yet spare it for the 'Temple's sake; for to pull down a Tem- 'ple was Sacriledg. The very same course is now taken by these Men, to erect their new frame of Passive Obedi- ence, or Arbitrary Government, call it which you will, (for whether another has right to my Goods, or if he demand them I have no right to keep them, it is all one; whether he has a right of send- ing the Bow-string, or if he send it, I have no right to refuse it, they both come to

Bp Jewel's  
Serm. p. 190.

the same reckoning). It is prohibited by Law, and therefore the Law would quickly pluck it down; but to prevent that, they clap a *Jus Divinum* upon it, and so the prohibited Theater takes Sanctuary in the Church. I shall therefore endeavour to spoil it of all its Religious Pretences, and so leave it to the Law, which knows what to do with a common Nuisance.

These Religious Pretences, are, first, The Doctrine of the Ancient Fathers. As for what the Fathers say, who lived in the old World before the establishment of Christianity, it does my *Answerers* no service at all, because it is all foreign, and does not concern the present Case. And as for Quotations since *Constantine's* time, I think I am not in their debt. Which Quotations of mine make the more against this Passive Doctrine; because the Fathers all along lived under a more absolute and arbitrary Government: in which Case, Men are very apt to take up slavish Principles, as we see it in our Neighbours the *French*. And therefore, if the Fathers had breathed nothing but Bondage and absolute Subjection, I could easily have accounted for it: where-  
as

as their *Dissenters Sayings* can never be solved by all the Passive Doctors in the World, But must remain unaccountable for ever.

Secondly ; The next Religious Pre-  
tences are the Doctrine of the Homilies,  
and of our eminent Divines, such as Bp.  
*Jewel*, Bp *Bilson*, &c. wherein I very  
much wonder at the Confidence of these  
Men ; for any Man that has read the Ho-  
milies and Writings of our first Reform-  
ers, or indeed any thing of the History  
of that Age wherein they lived, will as  
soon be perswaded to believe that they  
were a sort of Men who went upon their  
heads instead of their feet, as that they  
were for this new-fashion'd Passive Obe-  
dience.

For, 1. The Homilies of Obedience do  
no-where teach Submission to Lawless  
Violence, but only to Lawful Authority ;  
and never require us to suffer wrongs and  
injuries patiently, but expressly in *such case*,  
and in *that case*, when the Laws are a-  
gainst us ; and in a word, they direct all  
our Obedience and Submission to com-  
mon Authority, for they conclude : ' Thus  
' we know partly our bounden Duties  
' to common Authority, now let us learn  
' to accomplish the same. And the Au-  
thor

Pag. 74 com-  
pared with  
Pag. 72.

Pag. 77.

thor of *Jovian* is grievously out, pag. 226. when he makes as if the Subjects of this Realm could suffer no Injury nor Wrong, but in a way of lawless Oppression. For did not Queen *Mary* wrong and injure both the *Suffolk*, and all other Protestants, when she burnt them alive for being Protestants, tho she burnt them by a Law? And was she not a Wrong-doer, and did she not abuse her Power in reviving that wicked Law? For without that Law, she had had no Power at all to burn them; and if it had been done without a Law, it had not been done by an *abused Power*, but by one assum'd and usurp'd.

Pag. 75.

And then as for the Homilies against Rebellion (which is resisting or withstanding common Authority, as the Homily of Obedience defines it) they speak not one word of lying down, and submitting to unauthoritative and lawless Violence: but on the other hand, they propound *David* for an Example of Loyalty, and give him the Character of a Person *the farthest off from all manner of Rebellion*, then whom, there never was a greater Instance of Self-defence. I confess, I took it somewhat unkindly, to have these Homilies alledged against me, when I was doing the very work of them. When  
I

Pag. 285.



I was alienating Men's Minds from the Popes of *Rome*, against whom these Homilies are particularly levell'd, and of whom they give us this Caution. 'Wherefore let all good Subjects, knowing these the special Instruments and Ministers of the Devil, to the stirring up of all Rebellions, avoid and flee them, and the pestilent Suggestions of such forreign Usurpers, and their Adherents. When I was endeavouring to render Men averse from worshipping the *Babylonical Beast of Rome*, who had then lately procured the breach of the publick Peace in England (with the long and blessed Continuance whereof, says the Homily, he is sore grieved) by the Ministry of his disguised Chaplains, whispering in the Ears of certain Northern Borderers; upon occasion of whose Rebellion these Homilies were written, wherein they are described, as ready to kill all that shall or dare speak against their false Superstition and wicked Idolatry.

Pag. 310.

Pag. 316.

Pag. 302.

But, 2. If these Homilies must be urged against me, for maintaining that a lawful Defence may be made against illegal Oppression, why are they not likewise urged against Bishop *Jewel* himself, who wrote them? For in the Defence of his Apology, he has these words. 'Neither

Defence of 'ther doth any of all these (*Luther, Me-*  
*Apol. p. 16.* ' *lancthon, &c.*) teach the People to rebel  
 ' against their Prince, but only to defend  
 ' themselves by all lawful means against  
 ' Oppression, as did *David* against King  
 ' *Saul*; so do the Nobles in *France* at this  
 ' day. They seek not to kill, but to save  
 ' their own Lives, as they have openly  
 ' protested by publick writing unto the  
 ' World. As for us we are Strangers un-  
 ' to their Case; they themselves are best  
 ' acquainted with the Laws and Consti-  
 ' tutions of their Country; and therefore  
 ' are best able to yield account of the  
 ' Grounds and Reasons of their Doings.  
 Now here is a Bishop of a different mind  
 from our Author, for he would have  
 consulted a common Lawyer about a  
 Case of Conscience, and clearly thought  
*Westminster-Hall Divinity* to be much  
 better in this Case than *Pulpit-Law*.

Why are not these Homilies urged a-  
 gainst Bp *Bilson*? who in his Book of  
 the true difference betwixt Christian Sub-  
 jection and Unchristian Rebellion, dedi-  
 cated to *Queen Elizabeth*, being a Dia-  
 logue between *Theophilus* a Christian and  
*Philander* a Jesuite, (so that a Jesuite in  
 that Age was not thought worthy to be  
 accounted a Christian) has several large  
 Discourses,

Discourses, which do not at all accord with the Passive Doctrine; tho my *Answerers* have used great force and violence towards him, to get him on their side. The Author of *Jovian* particularly, p. 229 has strangely wrested him: for what the Bishop, Physician-like, prescribes to the *Papists*, who had the Laws mortally against them, *Deliverance if you would have, obtain it by Prayer, and expect it in Peace, those be weapons for Christians*; that Author applies in his old way to those, who (blessed be God) have the Laws on their side, and Deliverance by them already. And so in the next passage, the Bishop speaking of the same Case, says, *The Subject has no refuge against his Sovereign, but only to God, by Prayer and Patience*: But this is not the Case of Men who are under the Protection of the Laws, which were made on purpose to be a Defence and Refuge against all lawless Oppression whatsoever; or else, as Chancellour *Fortescue* says, the People would be cruelly cheated.

Chap. 14.  
And of this Intent should such a Nation be utterly defrauded, then their King might spoile them of their Goods, which before was lawful for no man to do.

Afterwards that Author skips over a large Defence of the *French* Protestants, and of *Luther's* Doctrine (concerning which I may say to him in the Bishop's words, *And this I ween you will hardly refute*

fute or convert to your purpose) and sets  
 down a Passage, which I will supply by  
 adding the words which immediately  
 follow in *Bilson*. *Phil.* What their Laws  
 ' permit, I know not; I am sure in the  
 ' mean time they resist. *Theo.* And we,  
 ' because we do not exactly know what  
 ' their Laws permit, see no reason to  
 ' condemn their Doings without hearing  
 ' their Answer. *Phil.* Think you their  
 ' Laws permit them to rebel? *Theo.* I  
 ' busie not my self in other Men's Com-  
 ' mon-wealths as you do; neither will I  
 ' rashly pronounce all that resist to be  
 ' Rebels: Cases may fall out even in  
 ' Christian Kingdoms, where the People  
 ' may plead their Right against the Prince,  
 ' and not be charged with Rebellion.  
 ' *Phil.* As when, for Example? *Theo.* If  
 ' a Prince should go about to subject his  
 ' Kingdom to a Forreign Realm, or  
 ' change the form of the Common-wealth  
 ' from Imperie to Tyranny; or neglect  
 ' the Laws established by common Con-  
 ' sent of Prince and People, to execute  
 ' his own Pleasure: in these and other  
 ' Cases, which might be named, if the  
 ' Nobles and Commons joyn together to  
 ' defend their ancient and accustomed Li-  
 ' berty, Regiment and Laws, they may  
 ' not

*Bilson*, p. 520.  
*Edir.* 1685.

‘not well be counted Rebels. *Phil.* You  
 ‘denied that even now, when I did urge  
 ‘it. *Theo.* I denied that Bishops had  
 ‘Authority to prescribe Conditions to  
 ‘Kings when they crowned them: But I  
 ‘never denied that the People might  
 ‘preserve the Foundation, Freedom and  
 ‘Form of their Common-wealth, which  
 ‘they foreprised when they first consen-  
 ‘ted to have a King.

Lastly ; Why do they not urge these  
 Homilies against all the Compilers of them,  
 and the whole Clergy of *England* ? who  
 in several Convocations in *Queen Elizabeth’s*  
 Reign, not only maintained in words  
 the Justice of the *French, Scotch, and*  
*Dutch* Defences which the Protestants of  
 those Countries made for the safeguard  
 of their Lives, Liberties and Religion, but  
 laid down their Purse to help them ; and  
 charged themselves deeply with Taxes, in  
 consideration of the Queen’s great Char-  
 ges and Expences in assisting them : As  
 you may see in the Preambles of the Cler-  
 gies Subsidy-Acts in that Reign.

5 *Eliz. cap. 24.* Amongst other Consi-  
 derations, for which they give their Sub-  
 sidy of six shillings in the pound, they  
 have these words : ‘And finally, ponder-  
 ‘ing the inestimable Charges sustained by  
 ‘ your

' your Highness, as well of late days in re-  
 ' ducing the Realm of *Scotland* to Unity  
 ' and Concord, as also in procuring, as  
 ' much as in your Highness lieth, by all  
 ' kind of godly and prudent means, the  
 ' abating of all Hostility and Persecution  
 ' within the Realm of *France*, practised  
 ' and used against the Professors of God's  
 ' holy Gospel and true Religion. The  
 first thing in this Passage is the Queen's  
 Assistance of the Scottish Nobility in their  
 Reformation, in which the Queen of *Scot-*  
*land* resisted them to her power, by bring-  
 ing *French* Forces into *Scotland*: which  
 is set down at large in our Chronicles.  
 The Temporality in their Subsidy-Act  
 call this Assistance, ' The Princely and  
 ' upright Preservation of the Liberty of  
 ' the next Realm and Nation of *Scotland*  
 ' from imminent Captivity and Desolati-  
 ' on. The other thing is the godly and  
 prudent means, for abating Hostility and  
 Persecution within the Realm of *France*.  
 Now History will inform us, that those  
 were the Forces, sent under *Dudley* Earl  
 of *Warwick* to *Newhaven*, to assist the *Hu-*  
*gonats*, who were then in Arms. We have  
 some modern illuminated Divines who  
 would not stick to call this the abetting  
 of a Rebellion; but the whole Bishops  
 and

*Stow. p. 640.*

5 *Eliz. c. 27.*

*Stow. p. 650.*

and Clergy, and amongst them the Compilers of the Homilies, call it the use of Godly and Prudent Means to abate Hostility and Persecution, practised against the Professors of God's holy Gospel and true Religion : for so that Charitable Clergy could find in their hearts to call a parcel of *Calvinists*, who never had a Bishop amongst them, whom some in this degenerate Age would sooner unchurch and destroy, than aid or assist.

Again; The Clergy grant another Subsidy, 35 *Eliz. c. 12.* in consideration of her Majesty's Charges, 'in the provident  
'and needful Prevention of such intend-  
'ed Attempts as tended to the extirpati-  
'on of the sincere Profession of the Go-  
'spel, both here and elsewhere. The  
Temporalties Subsidy-Act at the same time will explain this to us, in these Reasons for their Tax : 'Besides the great and  
'perpetual Honour which it hath pleased  
'God to give your Majesty abroad; in *Cap. 13:*  
'making you the principal Support of all  
'just and Religious Causes against Usur-  
'pers — Besides the great Succours in  
'*France and Flanders*, which we do con-  
'ceive to be most Honourable in regard  
'of the Ancient Leagues, the Justice and  
'Equity of their Causes.

G

And

And to the same purpose again the  
 Temporality, 39. *Eliz. cap. 27*: 'This  
 ' Land is become since your Majesties  
 ' happy Days, both a Port and Haven of  
 ' Refuge for distressed States and King-  
 ' doms, and a Rock and Bulwark of Op-  
 ' position against the Tyrannies and am-  
 ' bitious Attempts of mighty and usur-  
 ' ping Potentates.

Neither are the Clergy in their Sub-  
 sidy-Act, 43 *Eliz. cap. 17*. at all behind  
 them, either with their Money, or Ac-  
 knowledgments. 'For who hath, or  
 ' should have a livelier Sense, or better  
 ' Remembrance of your Majesties Prince-  
 ' ly Courage and Constancy, in advancing  
 ' and protecting the free Profession of  
 ' the Gospel, within and without your  
 ' Majesties Dominions, than your Cler-  
 ' gy?

From hence I argue, That if the *French*  
 and *Dutch* Protestants were Rebels, in  
 defending themselves against illegal and  
 destructive Violence, then the Bishops  
 and Clergy of *England*, quite through  
 Queen *Elizabeth's* Reign, by their assist-  
 ing of them, involved themselves in the  
 same Guilt. For it had been utterly un-  
 lawful, and an horrid Sin, to assist Sub-  
 jects in the Violation of their Duty and  
 Allegi-



Allegiance, and to turn, at least, a whole Years Revenue of all the spiritual Promotions in *England*, into Swords, to be employed in resisting the Ordinance of God. Those Men must needs have a great mind to partake of that Damnation, wherewith *St. Paul* threatens this Sin, who were willing to purchase it at so dear a rate.

By which it appears, that this modish Passive Doctrine of submitting for Conscience sake to illegal Violence, and all sorts of lawless Oppression, is all Madness and Innovation; and a thing wholly unknown to the Compilers of the Homilies; who dream'd as little of it, as they did of the late unnatural destructive War, which it produc'd. And hereby likewise the Reader will be enabled to judg between me and my Adversaries, who is truer to the Doctrine of the Church of *England*, They or I, and who are really guilty of Apostacy from it; they that retain the Primitive Sense of the first Reformers, or they that follow the upstart and new-fangled Opinions of a few mischievous and designing Innovators.

3. The last thing to be answered, are the Religious Pretences which are fetch'd from Scripture, for the support of this

Passive Doctrine. Before I come to examine the particular Texts which this Author has alledged, I shall say somewhat in general concerning the great Impertinency of interesting Scripture in this Controversy, for this reason: because *Christ meddles not with the Secular Government of this World*, as Dr. Hammond infers from the Scripture it self, 1 Cor. 7.22. and our Author in his Preface allows that Inference: Or, as *Luther* expresses it; because, *The Gospel doth not bar nor abolish any Politick Laws*; which Position he always held, and Bishop *Bilson* did believe that it could not be refuted; the Truth whereof I shall prove both by direct Argument, and by parallel Instances.

*The true difference, &c.  
p. 517, 518.*

1. The Scripture does not meddle with the Secular Government of this World, so as to alter it: for to alter Government is to overthrow the just Compacts and Agreements which have been made amongst Men; to which they have mutually bound themselves by Coronation-Oaths and Oaths of Allegiance; whereby the duties of Governours and Subjects are become the moral Duties of Honesty, Justice, and righteous dealing; which no Man will say, it is the work of the Gospel to destroy or abolish.

2. If

2. If Scripture has made any alteration in the Secular Government of the World, then that alteration is *Jure Divino*, and all Governments which are not reformed according to it, are unlawful ; which if it be said concerning our own Constitution, is Treason ; and if it be said of all other Governments in *Christendom*, is very ill manners ; for none of them pretend, much less can be proved, to agree exactly with any such Pattern given in the Mount.

In the second place therefore, Christianity has given no new measures of Rule and Government, nor of Obedience and Subjection ; but on the other hand, has forbidden Men to remove the old Landmarks, by confirming and re-inforcing the known Duties of Morality in this Case, as it has done in like Cases. It has charged Masters to be just to their Servants, and Servants to be obedient to their Masters, whereby it has created no new Right on either side : For Masters were always bound to allow their Servants that which is just and equal, and Servants to yield Obedience ; but in what measures or proportions we must not expect to find in Scripture, for that is left to be determined by former particular

Coloss. 3. 22.  
Titus 2. 9.

cular Contracts, or by the Laws and Customs of every Country. For even those Precepts of absolute Obedience, for *Servants to obey their Masters in all things, and to please them well in all things*, do not alter any of those measures of Obedience, which the Parties themselves shall agree upon, or the usage of every Country does prescribe. For an English Servant is not bound to obey his Master in all lawful things, if they be inconvenient, and no part of his Bargain. It is lawful for a Servant to obey his covetous Master and to please him well, in taking but one half of his Wages in full of all; but I presume he may do better to disobey, and displease him too in that matter, and to insist upon having his whole Due. It is certainly lawful, according to Mr. Long, for an English Servant to obey passively, *nay suffering, tho wrongfully, & his calling*; and yet if he refuse to serve in Chains, and to be used like a Gally-Slave, and so disobey and displease in that matter, it is no breach of his Christianity: for St. Paul himself could not abide to be smitten *contrary to Law*, tho it were at the command of the High-Priest, *Acts* 23. 3. He presently indeed recalled his reviling Language, but he did

did not correct his sharp Resentment of that Injury.

If some Men could find such Texts as these for Subjects, what Iron Yokes, and what heavy Burdens would they not presently lay upon them? and yet they would no more bind English Subjects, than these Texts which were directed to Roman Slaves, are the duty of English Servants. I might instance in several other Relative Duties in the same manner, if it were needful. Accordingly such Precepts as this, *Render unto Cæsar the things which are Cæsars*, do not alter or destroy the Laws of our Country, but plainly refer us to them; for we know not who is *Cæsar*, nor who *Cæsar* is, but by the Law of the Land. And the things of *Cæsar*, or what belongs to him, are not whatsoever he may demand; for then when we are bid to *render all Men their Dues*, we are as much bound to satisfy their Demands, let them be what they will, and never so unjust and unreasonable. And as for that new Device in *Jovian*, of learning our Allegiance, or legal Duty from the Notion of a Sovereign, it is a sort of conjuring; for I may as well know the just Sum of Money which one Man owes to another,

meerly from the Notion of a Creditor.

Having said this in general, I shall now particularly examine those Texts of Scripture, which this Author alledges; he begins with *Rom. 13. 1, 2. Let every Soul be subject to the higher Powers; for there is no Power but of God: The Powers that be, are ordained of God. Whosoever therefore resisteth the Power, resisteth the Ordinance of God: and they that resist, shall receive to themselves Damnation. From which Text Epiphanius proves, that the many Magistrates under one King, are ordained of God; and thence our Author infers, That the Power of under-Officers, since it is the Ordinance of God, ought no more to be resisted than the King's. Adding this further, Though this may seem harsh in an English-man's Ears, who will acknowledg perhaps that the King can do no Injury, and is above the Censure of the Law, yet he knows his Officers are accountable for any illegal Act; and the very Command of the Prince cannot secure them from being impeach'd by the People: granting this to be very true; yet I shall still assert that the Inferiour Magistrate, though in the Execution of an illegal Act, is not to be repelled by Force. To this I answer, I grant that Inferiour Magistrates, rightly constituted, and duly executing their Office,*

Office, are the Ordinance of God (for Government would be an impracticable thing without them); but as you shall see anon, the Text it self carries this Limitation in the Bowels of it; for it excludes both the Usurpation of an Office, and the illegal and malicious Exercise of it. If our Translators in this place had rendred the word ἐξουσία, Authorities instead of Powers, as they were forced to do, 1 Pet. 3. 22. and ἐξουσία, Authority, that is, a just and *lawful Power*, as they have rendred it in other places, and as it constantly signifies, they had effectually prevented the false Application of this Text. But now it is easy to shelter illegal Commissions, unauthoritative Acts, and all manner of unlawful and outrageous Violence under the word *Power*; for these are Might, tho they be not Right. However I shall make short work with this Imposture; for if these things before-named, be really contained in this Text, under the word *Power*, and by virtue of this Text are forbidden to be resisted, why then let us put them into the Text (which is the surest way of trying the Sence of any Scripture) and let us see how they will become the place. And then it runs thus, There is no illegal destructive

structive Commission, nor outrageous Violence of Inferiour Officers, *but of God.* The Rapines, Burglaries, Assassinations, Massacres, which are committed by Inferiour Officers, *are ordained of God:* Who-soever therefore withstands these, *resists the Ordinance of God.* What blasphemous stuff is this which Men dare to affix upon a Text of Scripture, which is no other than the Voice of God approving all lawful Government, and confirming from Heaven those moral Duties of Subjection, Obedience, and Non-resistance, which were always due to lawful Authority; but you plainly see are not due to illegal Violence, for that is clearly shut out of the Text; the Text it self will by no means admit it, but spues it out. In the same manner you may likewise try, whether usurped Power, or those that intrude into the Government, and get into Office by wicked and undue means, *be the Ordinance of God.*

Page. 53.

In the next place, our Author quotes St. Peter in these words, *Let's hear St. Peter's Opinion in the Case,* 1 Pet. 2.13, 14, 15. *Submit your selves unto every Ordinance of Man for the Lord's sake, whether to the King as Supream, or unto Governors, as unto them that are sent by him—*

for



for this is the Will of God, &c. From this 'tis plain that we ought to submit to Inferiour Officers for the Lord's sake, as well as Supreme; this subordinate Power being from God, tho not immediately.

I shall not trouble my self, as our Author does, about the Question, whether the true rendring of this place be, *submit to every humane Creature*, meaning Divine Creature; or, *submit to every Ordinance of Man*, as our Translation has it; which, he says, is an improper Translation, and has given occasion to a dangerous Error: for let the lawful Government be of what Extraction it will, every Subject must submit to it *for the Lord's sake*. The present Question, which wants St. Peter's Resolution, is, Whether we are bound to submit to the illegal Violence of under-Officers? which I suppose will prove to be in the Negative: For St. Peter plainly limits our Submission to such Governours, as are in Subordination to the King, and are sent by him, and come on this Errand (which it was not over honest in our Author to conceal) *for the Punishment of Evil-doers, and for the Praise of them that do well*. Whereas it is evident, that the illegal Violence of Inferiour Governours, crosses the very  
end

end of their Institution : besides, they are not in any such Act *sent by the King*, but come of their own Head ; and which is more, they do this in Contradiction to the King's declared Will and Pleasure, which is his Law, and *against his Crown and Dignity*, as an Indictment does fully set forth such Offences. For I must remember our Author of his Acknowledgment a little before, *that the King's Officers are accountable for any illegal Act, and the very Command of the Prince cannot secure them from being impeach'd by the People*. Now if they may be prosecuted and hang'd by the People, as any other private Malefactor ( but by the way, is that submitting to them for the Lord's sake ? ) why may not a just and necessary Defence be made against them, as against any other *Evil-doers* ? For that very reason, says our Author in his Preface, because it is a Sin to resist any Evil-doer, for *our Saviour has commanded us not to resist Evil, ( Evil not signifying a thing, but a Person )* Mat. 5. 39. and thence he infers that we ought not to damn our selves, to prevent the Violence of a Murderer, though offered to our selves.

Page 60.

I am much confirmed in the truth which I maintain, when I see that no Man can

can fairly oppose it, without falling into the very dregs of Quakerism, and into those pernicious Principles, which surrender the quiet and peaceable part of Mankind to the Discretion of a few mischievous and blood-thirsty Men, and in effect put a Sword into their Hands to slay us. If this be Gospel, *gaudeant Latrones*, 'tis good Tydings not to the true Man, but to the Thief, to the Cyclops, to the Canibal, to the hungry *Irish* Woolf, and to the *Mauritanian* Lyon, but to all others it is a very hard Saying. But to shew that this Argument may be otherwise answered, than with a shrug, it is plain, 1. That this Precept of our Saviour requires great Limitation; for else, among other things, a Christian Magistrate himself might not resist an Evil-doer. 2. That it carries a Limitation sufficient for my present purpose along with it. For all the Instances in which our Saviour forbids Resistance, are *matters of a light nature*, as Dr. Hammond expresses it. And the bearing of such tolerable Evils and Inconveniencies is no *peculiar* Duty of Christianity, for any wise moral Man would rather take a slap on the Face patiently, than turn such a ridiculous Battery into a Fray and *Bloodshed*;  
and

and rather receive two slight Injuries one after another, then revenge the first. For I shall here take occasion to inform our Author, that Revenge never was a natural Right, as he affirms, p. 57. but a Sin against the Light of Nature; and that the necessary Preservation of a Man's Life or Livelihood, or the Moderation of a just and unblameable Defence, do mightily differ from Revenge.

¶ Pag. 55.

And as our Author wholly wrests our Saviour's Doctrine; so, in the next place, he wilfully mis-represents his Case, as every Man knows who has read the four Gospels. For he was not *set upon* in an *illegal* manner, but apprehended by lawful Officers, who had a Warrant from the Sanhedrin, the supreme Court of Judicature, the Lords Spiritual and Temporal amongst the Jews, and were aided by the *Roman* Guards for fear of a Rescue; or, as the Chief Priests and Elders express it, lest there should be an uproar among the People: and in opposition to this Authority St. Peter drew his Sword, and wounded *Malchus*, a Servant or Officer of the High-Priest's, *Mat. 26. 51.* Dr. Hammond there says, *He was the chief Officer, or Foreman of them that had the Warrant to apprehend our Saviour.* So that if ever  
Sword

Sword was *wrongfully* drawn, and in Opposition to lawful Authority, St. Peter's was; and therefore was deservedly charm'd into the Sheath again. This being so, we cannot admit one Syllable of our Author's Inferences.

I should now confute his Answers to my five Propositions, but every ordinary Reader will be able, from what I have already said, to do it himself.

I quoted *Bracton* to prove that the Prerogative is bounded by Law, and made no further use of his words; but I should have been ashamed of such an Inference as our Author makes, when from these words of his own citing, *Rex habet Superiorem Deum, item Legem, per quam factus est Rex, item Curiam suam, viz. Comitibus & Baronibus*. He infers, that there is no more Power allowed to the Law, then there is to the Earls and Barons; who can only morally oblige the King's Conscience, when he is persuaded their Counsels are just. What their Power is in *Bracton* I need not say, for *Bracton* is an Author sufficiently known, and what it is in the Mirror, that very ancient Law-book, need not be told the World; but any Man may as well infer from this Passage, that there is no more Power allowed to God than to the Earls and

Pag. 61.

and Barons ; which absurd Inference is enough to shew the Weakness and Folly of his.

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In the next place he tells me, that I have forgot the Service of the Church, if I do not constantly thank God for the Example of the Thebean Legion. I do thank God for this, that the Service of our Church is purged from such Fopperies, and Legendary Stories; or else I would never have declared my Assent and Consent to it: But when I thank God for the marvellous Confirmation, which the seven Sleepers have given us of the last Resurrection ; I shall then remember to do as much for the Example of the Thebean Legion. For tho I admitted it as a Case to be argued upon, as I would any feigned Case of *John-a-Nokes* and *John-a-Stiles*, and shewed that it was not our Case ; yet when it is obtruded as matter of Religion and Devotion, I must take the boldness to call it a Fable. And I have very good reason to believe it to be so, when *Eusebius*, the very Father Fox of the Primitive Church, who lived in *Maximian's* Persecution, and wrote many Years after, has not one word of it, nor any of the voluminous Fathers of the fourth Century ; but *Encherius*, who lived about

As for our Author's Performance, I leave that to the Judgment of the World; and so he might have done my Comparison of Popery and Paganism, without endeavouring to slur what he cannot answer. But tho' I have forgiven him all his Abuses of me, yet I cannot his reviling the Homilies, when he calls what they say against Popery, *the old Elizabeth-way of railing*. And I hope all they that have subscribed the Homilies, *as godly and wholsom Doctrine, and fit for these times*, will never endure them to be run down by pretended Church-of-England-Men, and Vipers in her Bosom, both as unseasonable and ungodly; as what is now out of fashion, and as what, according to

Pag. 65.

H them,

them, ought never to have been in,

And thus I have answered what I thought material in this Author, and have consulted the Reader's Ease as well as my own, in passing over the rest of his Book ; of which I must needs say, that I never saw so great a number of Falsifications in so small a Volume in my whole Life: whereby I perceive that the design of these Men is not in the least the Service of Truth ; but their business is to impose upon the World, to blind and enslave Men at once ; just as the *Philistines* did by *Sampson*, they put out his Eyes, and then made him grind in a Mill. And therefore the just Suspicions which I otherways have, that this Author is a known Papist, are not at all removed by his pretending to be of our Church ; for he that will write an hundred Untruths, will certainly write one more.

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# Answer to the Preface.

**I**T has been the extream Felicity of this Author, to give such a pregnant Title to his Book, as does alone in effect answer *Julian*: For as we learn from the beginning, of this Preface, *Jovian* proves that the Empire was Elective; secondly, *Jovian* proves the Christians to have bin quiet and peaceable under *Julian*; thirdly, proves the *Antiochians* Zeal to have been Abusiveness; and fourthly, proves, that *Julian's* Army in *Persia* were Christians. But how if

*Jovian* proves not any one of these Particulars, but directly the contrary?

For, first, the Election of *Jovian*, after *Constantine's* Family was extinct, does by no means prove, that that Family did not inherit the Empire; but it proves the contrary, if the Historians say, that the Army elected *Jovian*, and on the other side say, that the Army and Senate proclaimed and recognized the Sons of *Constantine* to be the Emperors of the *Romans*, but never talk of their electing them.

Neither does *Procopius* prove that Family not to be extinct in *Julian*: For pretended Kindred, and

*Constantianam prætendenti necessitudinem. Ammian.*

ὑπὸ τῆς Κωνσταντίνου περι-  
σούτης καὶ τῆς νοματικῆς τοῦ  
ναυαγίου περιχομένης.

*Themist. Orat. 9. p. 206.*

Ἐν ὑπογραφῇ αἰετοῦ  
καὶ διαβίου, ἐν τῇ μέλει  
καὶ τῇ καλαμῇ ἐτόλμυ-  
σεν εἰς τὸν ἐμβαλέειν τὴν  
Ῥωμαίων ἡγεμονίαν, ὅλη-  
σθαι ἐξ ὁλέθρων, &c. *Ibid.*

p. 194

much more impudently pre-  
tended Kindred, is not  
Kindred. An House in  
*Cilicia*, from which *Pro-  
copius* descended, was not  
the *Flavian* House; no  
more than a Man, who  
lived all his Life in the  
quality of an Under-  
Writer, or Clerk, was a  
great Man; and of the  
Blood; or than a sorry

Pen-and-Inkhorn-Fellow, as *Themistius*  
describes him, can be said to make a great  
Figure

Figure in the Times of *Constantius* and *Julian*. I thought very innocently, a Man might be allowed to say, That the Line Male of the House of *York* ended in *Richard* the Third, without telling the World a long impertinent Story of *Simnel*, and *Perkin Warbeck*; but now I see, that upon such an occasion, unless a Man writes the Memoirs of such Impostors, and Vagabond Landlopers, he shall be represented by our Author as an Impostor himself. However, I regard it the less, because I had not more diversion in reading heretofore the Tragi-Comedy of this Impostor, than I have now in our Author's management of him: To see *Julian's* Cousin *Procopius*, standing by himself at the bottom of a Genealogy, just like a Cipher, without Father, without Mother, and without Descent; where the Noble *Algernon's* Cousin might as well have stood, if the Herald had so pleased. But after all, if this famous *Procopius* must needs be brought into Play, he is clearly on my side: For his setting up for Emperor, under pretence of being of the *Constantine* Family, is a strong Proof, that the Empire was look'd upon as Hereditary; as *Perkin Warbeck's* Imposture did suppose the Kingdom to be so here.

See the Genealogy in Jovian, p. 41.

Neither, lastly, does the passing by of *Varronianus*, the Infant-Son of *Jovian*, signify any thing; when *Edgar Atheling* was set aside thrice, and several other *Saxon* Princes were put by for their Minority. Whereas on the other hand, *Valentinian* being made Emperor at four Years old, is a greater Argument that the Empire was Hereditary, than the setting aside Ten at that Age, is to prove the contrary.

Secondly; *Jovian's* quiet Behaviour is no proof that *Valentinian*, as much a Confessor as he, behaved himself quietly, when he struck the Priest; nor that all the other Christians behaved themselves quietly under *Julian*, when they did not; particularly the generous and zealous *Casareans*, as *St. Gregory* calls them, who destroyed the Temple of *Julian's* great Goddess *Fortune* in his Reign, and made her unfortunate in a fortunate Time. For which *Julian* was enraged at that whole City, and gave his own Heathens there a severe Reprimand, for not hazarding themselves to defend their Goddess; but they durst not, for the Christians in that City were too many for them. Now on the other hand, how if *Jovian* himself was as generous, and as zealous a Christian, as any of them? For tho he had laid

Inveſt. l. p. 91.  
Τὸν δὲ τῶν  
μεγαλοδυνάμεων  
δεσμωθεὶς ἐν  
οἴκῳ.

Sozom. l. 5. c. 2.  
Καὶ εἰ παθεῖν  
ἐδούκει τὸν  
δύναμιος ἑαυτοῦ  
τῆς τυγχῆς  
καταμεμεναι.

laid down his Commission, and was cashiered for not sacrificing, and obeying the Commandment of the wicked King; yet *Julian*, in his Expedition for *Persia*, by *Necessity of the approaching War*; had him amongst his Commanders, as *Socrates*'s Socrat. lib. 3. cap. 19.

Words are. I have been often puzzled, to imagine what that *Necessity* should be, and have sometimes been inclined to think that *Julian* stood in need of him for his Conduct, to command some part of his Army, who indeed, for his Abilities, was fittest to have commanded in chief. But that cannot be, for the great *Jovian* was but a *Pike-man* in that Expedition, and Ἀρχιμορφή. was not entrusted with any Command, so much as that of a Sergeant, and was no more than a common Foot-Souldier, when he was chosen Emperor. And therefore *Julian* could not be without him, nor leave him behind him, upon some other account; and whether that were, lest in his absence he should go and live at *Casarea*, which was close by *Nazianzum*, where old *Gregory* dwelt, or upon what other account, I desire to be informed by our Author.

Thirdly; *Jovian*'s being libelled and abused by none but the Heathens of *Antioch*, for making a dishonourable Peace

with the *Persians*, which Reproach the Christians always wiped off from him, and justly laid it upon *Julian's* Rashness, or for his being a Christian, (which is undeniably true, as *Baronius* has already proved it in *Jovian's* Life, and as I could further prove, if it were worth the while) does by no means prove, that the Christians of *Antioch* abused him as well as *Julian*, and consequently would have abused any Body. Whereas it is evident, both from the *Misopogon* it self, and from the express Testimony of *Theodoret*, that the Instances of the *Antiochian* Christians Hatred to *Julian*, did proceed purely from the height of their Christianity, and their fervent Love to Christ. It is too much in reason to tell Men a Story, and to find them Ears too; but I will do it for once, as to this Story of *Theodoret*. The Words were these: 'That the *Antiochians*, who 'had received their Christianity from the 'greatest Pair of Apostles, *Peter* and ' *Paul*, and had a warm Affection for the ' Lord and Saviour of all, did always 'abominate *Julian*, who ought never to be 'remembred; you have his own Word 'for it: For, for this reason he wrote a 'Book against them, and called them the ' *Beard-haters*. Now the same Men, that  
derived

*Lib. 3, c. 22;*

derived their Christianity from the chiefest Apostles, and had a great Love for our Saviour, were the Men that could not endure *Julian*, and against whom, for that reason, he writ his *Misopogon*. So that, according to *Theodoret*, that Book was caused by their Hatred to *Julian*, and their Hatred to *Julian* was caused by their Love to Christ, and their Love to Christ proceeded from their pure and primitive Christianity. And let our Author find any new ways of shuffling, to call this Zeal Scurrility, if he can.

And, fourthly, *Jovian* is so far from proving *Julian's* Army in *Persia* to be all Christians, or almost all Christians, (as my divided Answerers say) or Christians at all, that it is demonstrable from his Election, that they were Heathens; for he therefore refused the Empire, because they were Heathens. He refused it at first, Socrat. lib. 3. cap. 22. when he was chosen by the Army, in the absence of the Commanders; and afterwards, when the Commanders had agreed to the Army's Choice, and had set him upon a high Stage, and given him all the Titles of Majesty, calling him *Cæsar* and *Augustus*; still he refused it, not fearing the Princes nor Souldiers altering their Minds for the worse, but told them plainly,

Theod. lib. 4. cap. 1. ' I cannot, being a Christian as I am,  
 ' take the Government of such Men, nor  
 ' be the Emperor over *Julian's* Army,  
 ' which is principled in a wicked Religi-  
 ' on ; for such Men, being left destitute  
 ' of God's Providence, will become an  
 ' easy Prey and Sport to our Enemies.  
 ' The Souldiers having heard these Words,  
 ' cried out with one Voice : O King, let  
 ' not that Doubt trouble you, neither do  
 ' you decline the Government of us, as a  
 ' wicked Government ; for you shall  
 ' reign over Christians, and Men bred up  
 ' in the true Religion : For the elder a-  
 ' mongst us were bred under *Constantine*,  
 ' and the rest under *Constantius* ; and the  
 ' Reign of this Man, who is now dead ;  
 ' has been short, and not sufficient to esta-  
 ' blish Heathenism in the Minds of those  
 ' that have been seduced. Now this is a  
 ' Demonstration, that *Julian's* Army were  
 ' profest Heathens : for it is Nonsense to  
 ' say, that *Jovian*, who was so well ac-  
 ' quainted with the Army, and was all  
 ' along with it in that Expedition, did not  
 ' know what Religion the Army profest.  
 ' Or I would fain know what Danger he  
 ' was in, for declaring against Heathenism  
 ' in a Christian Army ; that *Theodore*  
 ' should say, ' This brave Man, using his  
 ' ac-



‘accustomed Boldness, *παρρησία*, (that is, says our Author, p.105. confessing Christ boldly in the midst of his Enemies, in apparent Danger of Torture or Death) ‘not fearing the Princes or Armies Alteration for the worse, said, I cannot, being a Christian, take upon me the Government of such Men. It may indeed be demanded, why the Army, knowing his Religion as well as he knew theirs, should nevertheless chuse him for their Emperor? But all the Ecclesiastical Historians furnish us with this ready Answer, That the Army was in miserable Straits and Perplexity, and had been all lost, without a Man of his matchless Courage and Conduct to head them: And then their own Declaration shews, that they were Heathens only upon liking, and had not been long enough to contract an Aversion to that Religion, in which they were bred.

For my part, I never read of any other professing Christians in *Julian's* Army in *Persia*, besides *Jovian* and *Valens*, (for I can assure our Author, that *Valentinian* was not there, unless he march'd like an Elephant, with his Castle on his Back, for he was then in Prison for striking the Priest) except we should likewise add him, whom *Libanius* and *Sozomen* talk of.

But

But when *Jovian* had thus resolutely declared himself, the Army likewise declared themselves Christians, and gave him a very good Reason, why he should not distrust their sudden Conversion. They were such Christians, as we have in great plenty at the end of every one of the Primitive Persecutions, who turn'd Heathens to save themselves, and when the Danger was over, immediately return'd to the Church again. Which was the worse in these Christians, I mean *Jovian's* Christians, and *Julian's* Heathens,

*Chronic. An.*  
365. *Blanda*  
*Persecutio il-*  
*liciens magis*  
*quàm impel-*  
*lens ad sa-*  
*crificandum.*

because, as St. *Jerome* observes, '*Julian's* Persecution was a winning Persecution, rather leading, than driving Men to Heathenism. However, this is less to be wondred at in an Army, when we have seen the same Unsteadiness and Volubility in Universities, Clergy, and Convocations, who, to the reproach of this Nation, without so much as *Julian's* Persecution, or *Jovian's* Declaration, have been Papists or Protestants, as their Princes were inclined; and have made more haste to turn to and fro, than these Souldiers did.

This plain Matter of Fact, which I have therefore set down the more at large, does evidently shew the Falshood of that  
After-

Assertion, *That Julian's Army in Persia was for the most part Christian.* It may be my Answerers fell into this Mistake, if it be not wilful, by jumbling together the Beginning and latter End of *Julian's* Reign. For our Author might easily see, that *Gregory* mentions the Remnant of more than Seven Thousand, which had not bowed the Knee to Baal, before *Julian* had made any Edict against the Christians in any kind, so much as to call them *Galileans*; before he had ensnared them with his Donative, and used many other Arts of corrupting them, or made his Edict of cashiering the Christians. And it is intolerable false Reasoning, to conclude, that the State of Affairs in the end of *Julian's* Reign, was the same that it was in the beginning: For, as *Gregory* observes, in the beginning of *Julian's* Reign, Christianity was the establish'd and prevailing Religion; and therefore for *Julian* to attempt to alter and disturb it, was no other thing than to shake the Roman Empire, and to hazard the whole Commonwealth; and that afterwards the Empire was actually filled with Sedition, Confusion, and Fighting, on that account. But now let us take a view of the Face of Things in the latter end of his Reign,

*Inveſt. 1.  
p. 75.*

*Ibid. p. 80.*

*Chrysoft. ad-  
versus Ju-  
deos. Orat:3*

Reign, at which time he had set the Jews on work to repair their Temple at *Jerusalem*; but Fire came out from the Foundation, in such a wonderful violent manner, as killed many of them, and forced them all to desist. 'These Things did not happen, says *St. Chrystom*, in the 'Reign of godly Emperors, but at a 'time when we were in a miserable low 'Condition; when we all went in danger of our Lives, when the common 'Freedom of Mankind was taken from 'us, when Paganism flourish'd; when 'the Christians either hid themselves in 'their Houses, or were fled into the Wilderness, and were not to be seen in publick, then these Things happened; that 'no manner of impudent Pretence might 'be left the Jews, and that they might 'not be able to say, that the Christians 'came upon them, and put a stop to the 'Work. No, alas! they were not in a condition to disturb any Body, if they had had never so much mind to it. Impudence it self cannot say, that the Christians were able to hinder the Jews in this Work. That is the Father's reasoning in this place.

You have seen already, what Strength of Numbers the Christians had in *Julian's* Army:

Army: And as for what Force of Arms and Ammunition they had out of the Army, appears fully by *Julian's* Edict, a considerable time before, wherein he charges all the Christian Laity in the Empire, *not to be persuaded by their Bishops to take up Stones, and disobey the Magistrate.* Truly, a very dangerous Magazine! Can any thing be more plainly said, to shew that the Christians were disarmed, and naked, and defenceless, even to contempt? And that they might well complain, with *Gregory*, that they had neither Arms nor Ammunition, *nor Wall, nor Weapon, nor any Defence left them, but their Hope in God, as being deprived and retrench'd of all humane Aid:* That is, as our *Author* explains this Passage, p. 178. They had Walls, and Weapons, and humane Aid; and they had them not: *Not that they wanted Strength and Numbers, but by the Principles of their suffering Religion they could not use them.* Now they never had them to use, contrary to the Principles of their Religion; why then does *Gregory* say, they had them not left? It seems they once had them, in the same Sense in which they now wanted them. Did ever any Man complain that he wanted Bread, meaning, that he had a Peck-Loaf

*Julian Ep. ad Bostrenf.*

*In. 2. p. 123.*

*172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.*

Loaf standing by him, but wanted a Stomach, or inward Principle of eating? If a thousand Transcribers interpret Authors at this rate, I shall beg all their Pardons. As for that indefinite Speech of St. *Austin*, that *Christian Souldiers served under Julian*, it is very true, if they did so in any part of his Reign, or if to the number of two served under him; and therefore proves nothing in this matter: For *Christiani Milites* is either Units, or Tens, or Tens of Millions. And when our Author tells me how many they were, and when they served under him, I will give him a further Answer.

The next Thing he touches upon in his Preface, is, That the Roman Empire was not entailed, (he should have said, unless it were entailed by the Law of Nature, or else he uses *Eusebius* very uncivilly) from whence he concludes, *That it was either great Ignorance, or great Deceitfulness in me, to assert it to be Hereditary.* I desire to know which of the two it was in Bishop *Bilson*, who asserted it almost an hundred Years before I did, in these Words: 'The Roman Empire it self, from *Constantine* the Great, and before, till the Time of *Otho* the Third, that

*Christ. Subject. Oxon.*  
1585. p. 515

That is, seven hundred Years, and upwards, went by Succession, save where the Right-Lines failed; or Sedition disturbed the Heir. Where he likewise matches it with the Hereditary Kingdoms of *England, France, Spain, Scotland*, and others. And further, I desire to know, at what time afterwards the Empire began to be Hereditary, if it were not so in *Constantine's* Family; where there was an uninterrupted Succession of Five, from *Hercules Maximianus* to *Julian*? But besides such an Instance of uninterrupted Succession, which is a great Rarity in Kingdoms that are undoubtedly Hereditary, which, tho' it be matter of Fact, is no Proof of Right, the express Testimony of *Eusebius* is so full and convincing, that it descended from Father to Son, like any other Patrimony, that I needed not to have added other Proofs, for I see that alone cannot be answered. I was not in the least concern'd to prove, that the Empire descended in a right Line, from the twelve *Cæsars* down to *Constantine*, and therefore our Author needed not to have writ his long impertinent History of broken Succession; which, I confess, I did slight when I heard of it, but not so much as now I see it. For who would go to use

such a deceitful *Medium*, as a History of broken Succession, to prove an Empire to be Elective? I am sure, if our Author consider that Argument better, he will not abide by it.

Ἐσφοτισμένη αἰσιοθεσίαν εἰς διαδοχὴν τῶν περιγμάτων, as the Law of the same Empire says.

Without thinking my self bound therefore to follow him in his Knight-Errantry, quite through a Succession of three hundred Years, ( which in the first Constitution of it was Hereditary, as he confesses, and quotes *Dio* for it, p. 9. and was propagated by Adoption in the *Julian* Family, to the Emperor *Nero* ; and afterwards, when it was broken, was often pieced again by Adoption, which still shews the Nature of it to be Hereditary ) I shall prove, with all the Clearness and Brevity I can, that the Empire was hereditary in *Constantine's* Family, both as to matter of Fact, and matter of Right.

First ; They were not elected either by the Senate, or the Army, who only declared, recognized, or proclaimed the new King to be Emperor, τὸν νέον βασιλέα αὐτοκρατορέα ἀνηγόρευον. *Euseb. Vita Const. lib. 1. cap. 16. γνωρίζεν, lib. 4. cap. 68. ἀνεκάλεον, cap. 69.*

2dly ; During that Family there was no *Interregnum*. At *Chlorus* Death *Eusebius* says, οὐ μὴν ἀβασίλευσι ἔμεινεν ἡ ἀρχή. *Vit.*



*Vit. Const. lib. I. c. 16.* And afterwards says, there was not an *Interregnum*, no, not for a minute, *μὴδ' ἕως βραχυτάτης ὥρας.*

3dly ; They were either Testamentary Heirs, or Heirs at Law to the Empire, all lawful and undoubted Heirs : *Const. Chlorus*, as the adopted Son of *Maximian* ; *Constantine*, as eldest Son to his Father ; *Constantine's* Sons, as Testamentary Heirs ; and *Julian*, as Heir at Law.

I shall in a few Words clear the Titles of *Constantine*, and his Sons, and especially of *Julian*, which is the only one that I needed to insist upon.

First ; Of *Constantine* ; *Eusebius* says, *Vit. Const. lib. I.* that the Throne descended to him from his Father, as a Patrimony. *Socrates* says, *Lib. I. cap. 1.* that he was declared King in his Father's *Ἐκ τούτων.* stead, the very Word which is used to describe the Jewish Succession. *Enmenius* *Pan. 8.* says, he was his Father's lawful Successor, *cessorem legitimum, neque enim erat* and undoubted Heir. *dubium,*

Secondly ; *Constantine*, being posselt of the whole Roman World, which indeed was too large for the Government of one single Person, wisely divided it amongst his three Sons, and made them *quoniam primum Imperatori filium sua de-* *discent.*

Epist. 13.

Heirs by Testament. *Theod. Sacrat. Ruffin.* He left them Heirs, he made them Heirs, he wrote them Heirs. And accordingly *St. Ambrose* calls *Constantius*, (who survived the others, and had it entire again) the *Heir of his Fathers Dignity*.

Thirdly; *Julian* was Heir at Law: He had the Empire by Blood and Birth, it fell to him by ordinary Right. And if *Jovian* had been elected Emperor, while *Julian* was living, he had been injured, and should have had Wrong done to him, as I shall make appear by these following Testimonies.

1. *Julian* was lawfully possesser of the Empire after *Constantius's* Death, but not before; for tho he were chosen Emperor by the Army in *Constantius's* Life-time, yet that Choice only made him an Usurper. So *Ruffinus* tells us, *lib. 1. cap. 27. Post quem (scil. Constantium) Julianus præsumptum prius, deinde ut legitimum, solus obtinuit Principatum.*

Δεξάμενοι  
τὴν ἀρχὴν  
ἐπὶ τοῖς μαλ-  
λον τῶν ἐκ  
γένους παρὰ  
βίβλιν The-  
m. p. 277.

2. This lawful Title was a Title by Birth and Blood. So *Themistius*, a Senator, and the Governor of *Constantinople*, in his Speech to *Jovian*, speaking of the *Constantine* Family, and *Julian* especially, tells him: 'You having received the Empire (meaning by Election) have maintained  
' it

‘it better than they who received it in a  
 ‘way of Succession by Birth and Blood.  
 And this, I doubt not, is what *Ammian.*  
*Marcell.* means by *ordinario jure*, where  
 he says, ‘That when *Julian* had news of  
 ‘*Constantius’s* Death, he, and his whole *Lib. 22. ad*  
 ‘Army after him, marched merrily for *init.*  
 ‘*Constantinople*; for they saw that the  
 ‘Empire, which they were going to take  
 ‘away by force, with the apprehension  
 ‘of the utmost Hazards, was now unex-  
 ‘pectedly granted in the ordinary way of  
 ‘Right. That is, by *Constantius’s* Death,  
 it was *Julian’s* of course: For as for that  
 Flam, that *Constantius* named *Julian* his  
 Successor with his last Breath, it is so ri-  
 diculous a Falshood, that the meanest  
 Sutler in *Julian’s* Army was not silly e-  
 nough to believe it, when it was so no-  
 torious, that *Constantius* was coming to  
 advance him the other way.

3. This ordinary Right by Birth, as he  
 was the sole Heir of the *Constantian* Fami-  
 ly, was so just a Title, that if *Jovian*  
 had been elected Emperor, while *Julian*  
 was alive, he had been injured by it,  
 and should have had Wrong done him.  
 So the same *Themistius*, in the same place,  
 where he tells *Jovian*, ‘That the Em-  
 ‘pire was before owing to him for his

Themist. pag. 274.  
 Το λοιπομένω  
 της Κωνσταντι-  
 νου διαδοχῆς  
 μηδὲν ἀδ-  
 κειμένον.

'Father's Vertue; but at *Constantine's*  
 'Death he deferred to take the Debt, that  
 'he might not be thought to usurp upon  
 'the *last of the Constantine Succession*, and  
 'was reserved till now, so as to receive  
 'his Father's Debt, *without doing wrong to*  
 'any Body. It seems *Julian* had been  
 wronged, if he had been put by his Suc-  
 cession, therefore he had a Right to it,  
 and the setting him aside had been a pro-  
 per Exclusion. And yet *Gregory* and  
*Basil*, who did not wear one Beard, and  
*Constantins* on his Death-Bed, thought  
 the whole Christian World much more  
 wronged, in that he was not set aside.  
 Q. E. D.

To answer Forty of our Author's  
 trifling Objections at once, such as, Whe-  
 ther the Law of Nature be for Primogeni-  
 ture and Gavelkind too? &c. I affirm,  
 First, That there never was a Succes-  
 sion in the World, that was not alterable,  
 and which might not be directed and go-  
 verned, either by the Prince, or People,  
 or, as it is here, by both. The Jewish  
 Succession, which was establish'd by God  
 himself in the Line of *David*, was not  
 so establish'd, as to exclude the Peoples  
 Governance and Disposal of it. A clear  
 Instance

Instance you have of this, 2 *Chron.* 36. 1. and 2 *Kings* 23. 30. Then the People of the Land took Jehoahaz, the Son of Josiah, and made him King in his Father's stead, in Jerusalem. Jehoahaz was the younger Brother, and yet the People of the Land excluded his elder Brother, to make him King. And tho he were the younger Brother, by about two Years, the Scripture approves the Title and Birth-right, which the People of the Land gave him, for it allows and records him to be the First-born, 1 *Chron.* 3. 15. And the Sons of Josiah were ; the First-born, Johanan ; the second, Jehojakim, &c. This Johanan is the same with Jehoahaz, as all Commentators are agreed ; such variety of Names being very usual in Scripture for the same Person.

2dly ; That the Government of the Succession in the Roman Empire, was in the hands of the Emperor ; which is the reason that Gregory blames Constantius alone, and neither Souldiery nor Senate, for Julian's succeeding to the Crown. And,

3dly ; That in all Hereditary Kingdoms, the Succession has been variously ordered and disposed upon occasion, and that justly, by those who had the Go-

Primo Mar.  
Parl. 2. c. 2.

vernment of it. And therefore *Glorius* might do as was most fit, to give his Empire to his eldest Son alone; and yet *Constantine* do as well, to divide his larger Empire amongst his three Sons. Both which ways of inheriting, according to the Fathers, were still by Divine Right. We have a plain Instance of this likewise in the Articles of *Philip* and *Mary's* Marriage, in the united Kingdoms of those two Princes.

--Apud Ambros.  
Ep. 11.

I shall add, by way of Supererrogation, that the Empire (after *Jovian's* untimely and sudden Death) went on again in a way of Hereditary Succession, first in *Valentinian's*, and afterwards in *Theodosius's* Family. *Gratian*, and *Valentinian* the younger, succeeded *Valentinian*, as his lawful Heirs. So *Symmachus*, Praefect of Rome, expresses it: *Eum Religionis statum petimus, qui divo parenti vestro cultu minis servavit Imperium, qui fortunata Principi legitimos suffecit Haeredes.* One of them was Emperor when he was a Child; but it was all one for that: For as *St. Ambrose* says by *Theodosius's* young Sons, *Arcadius* and *Honorius*, who likewise succeeded their Father; *Nec moveat aetas, Imperatoris perfecta aetas:* No-body is to mind their Age, for an Emperor is always

always at Age. The Descent of the Imperial Crown took away all Defects. And St. *Ambrose* exhorts the People and Army to pay the same Duty to these Minors, as they would to *Theodosius* himself, or rather more; and tells them what Sacrilege it would be to violate their Rights: *Plus debetis defuncto, quam debetis viventi. Etenim si in liberis privatorum, non sine gravi scelere minorum jura temerantur; quanto magis in filiis Imperatoris?* *Concio in Obuiſtis viventi. Theod.*

In a word, if the Empire were not Hereditary, in that period of it which my Discourse led me to speak of, and for a long time after, the Christians, as well as Heathens, have not only imposed upon the World, but, which is far worse, have mocked God in their Prayers. *Firmicus* prays the great Sun and Stars, together with the most High God, to make the Government of *Constantine*, and his Sons, perpetual; and grant, says he, that they may reign over our Posterity, and the Posterity of our Posterity, in a continued Series of infinite Ages. *Sozomen* prays, that God would transmit *Theodosius's* Kingdom to his Children's Children. To which Prince, *Cyrill*, Archbishop of *Alexandria*, says, 'The Queen, glorious  
*Lib. 1. cap. 4.*  
*Dedicat. Hist.*  
*De rectâ fide ad Theod.*

‘in having Children by you, gives hope  
 ‘of Perpetuity to the Empire. Now  
 from any one of these Expressions, it is  
 plain that the Empire was not Elective;  
 For every one knows, that the present  
 King’s Children, in an Elective Kingdom,  
 are farthest off from succeeding: Who-  
 ever succeeds, they shall not, for fear they  
 should alter the Constitution of the  
 Kingdom, and make it Hereditary. It is  
 indeed otherwise in the Empire of *Ger-  
 many*, but there is a peculiar Reason for  
 it: None but the House of *Austria*,  
 which has so large Hereditary Domini-  
 ons and Countries, and so scituate, as to  
 be a Bulwark against the *Turk*, being ca-  
 pable of defending and preserving that  
 Empire.

After all, to shew how much our Au-  
 thor is mistaken, in thinking the Stress  
 of my Argument lies upon this Assertion,  
 That the Empire was Hereditary in *Juli-  
 an*’s time, (which nevertheless I desire  
 him to confute, if he can, in fourscore  
 Pages more,) I do assure him, that the  
 Conclusions which are drawn from his  
 own Premises, will serve my Turn as  
 well.

Our



Our Author says, pag. 51. *That the Cæsarship only made a Man Candidate, and Expectant of the Empire*; or, as he expresses himself afterwards, *it was a Recommendation to the Augustus-ship*. Tho by the way, *Candidate* or *Expectant* is not the English of *Spartianus's* Latine, which he there quotes; for designed or appointed Heirs of the Imperial Majesty are more than Candidates; and *Enmenius*, who understood the Roman Empire and Language better than any modern Man, opposes those two Words to one another: *Sacrum illud palatium, non Candidatus Imperii, sed designatus intrasti.* Pan. 8. However, to take the Character of a *Cæsar* at the very lowest, he was recommended to the Empire, and stood fairest for it. And because the Empire had generally gone that way, he might plead Custom, tho not a strict Right; and at the least, was next to the Chair. Nevertheless the Christians were for setting aside one that had these Pretensions to the Empire of the Roman World, meerly because he was not of their Religion; they would not have a Heathen to reign over them. Now I did not go to ask their Opinion concerning the 13th of *Elizabeth*, and half a dozen Acts of Parliament more; or whether

whether our King and Parliament have not equal power to exclude a Popish Successor, as *Constantius* had to degrade a Pagan *Cæsar*? Of which I never doubted, nor dare our Author deny it. But my Enquiry was, Whether Paganism was a sufficient Bar to hinder a Man from an Empire? and whether it unqualified him from reigning over Christians? And their Answer was, as I have faithfully reported it, that it was a great Sin in those who could prevent such a Person's coming to the Crown, if they did not do it. And whether an Act of Parliament cannot govern the *Norman* Entail, we will never ask the Fathers. To conclude, if my Comparison of Popery and Paganism hold true, which this Author has been pleased to grace and fortify with his Approbation; then the Case of Conscience is thus resolved by the Fathers: That it is not only just to prevent a Popish Successor; but that it is a very great Sin in those who can legally prevent him, unless they do it.

Again; If *Julian's* Title were not a Right of Inheritance, but lay in the Choice of the Legions; then *Julian* was already lawful Emperor, while he was in France, as well as *Gordianus*, *Philip*, *Decius*,

*Decius*, p. 37. and others in other places of our Author. And yet *Julian* durst not then own himself a Pagan, tho he had been so for ten Years; but, as *Ammianus* confesses, went to Church a long time after, to curry Favour with the Christians, and to avoid Impediments. It seems he was afraid, *even then*, that the Christians would put a Spoke in his Cart, and was so apprehensive of meeting with some dangerous Rubs from them, that he slavishly dissembled his Religion.

Utq; omnes,  
nullo impedi-  
ente, ad suum  
favorem alli-  
ceret, inhære-  
re cultui Chri-  
stiano inge-  
bat, &c. Lib. 21.

The next thing in the Preface, worth observing, is, our Author's taking offence at my general way of speaking concerning the Behavior of the Christians under *Julian*, that I say *they*, and *their*, when only particular Persons are mentioned.

I answer; Where I have made a general Inference from the Behaviour of particular Persons, either those Persons were Fathers themselves, who by common Construction are Representatives, and deliver to us the Sense of the Church; or else the Thing which is done by them, is commended and applauded by the Fathers, which is the same thing as if they had done it themselves. But a great part of the Instances which I give, are the general

general and publick Acts of great Numbers in the Church, a Congregation, a City, or the like; not to mention what was done by the whole Church. And therefore these Instances ought not to be levell'd with those which our Author produces in Queen *Mary's* Days, of Things which were done but not owned, and which, as we use to say, *No-Body* did: For our Author might have had the Reward of Twenty Marks, and Thanks, if he could have inform'd who it was that hang'd up the Cat. And as for *Wyat's* Rebellion, it was upon account of the *Spanish* Match, and Religion was only pretended, as our Author's own Quotation from Mr. *Bradford* does acknowledg.

I shall overlook the rest, till I come to his Discourse about the Bill of Exclusion; *where, in the first place, we meet with a subtil Defence for the Addressers: For it was not the Popish Successor, as Popish, but the Succession, which they promised to maintain.* I like the Distinction very well, only our Author applies it by the halves; for I wonder he does not say, that they made this Promise too, not as *Protestants*, but as *Addressers*. But it seems, the *Suffolk-Protestants* did  
thus

*thus maintain the Succession of Queen Mary.* They did so, but the Case was very different; for then there was no possibility of a Bill of Exclusion: *Q. Mary*, by virtue of an *Act of Parliament*, was actually Queen; and yet they gave her no assistance, but upon her Promise to maintain the established Protestant Religion: Which Promise was so well and truly performed, that we may well be excused from trusting any Popish Prince, as those poor Men did, who afterwards had the Opportunity of seeing their Error, from the Vantage-Ground of a Pillory, and by the Fire-Light in *Smithfield*.

As for Archbishop *Cranmer's* disclaiming and recanting his being concern'd in setting up King *Edward's* Will against an *Act of Parliament*; it manifestly makes for me, and shews what authority *Cranmer* ascribed to an *Act of Parliament*, which gave *Queen Mary* all her Title, after he himself had been the greatest Instrument of rendring her Illegitimate, by causing her Mother's Marriage to be declared null and void from the beginning. Tho I might well have taken no notice of it, because our *Author* is pleas'd to do the same by Bishop *Ridley's* Sermon at *Paul's-Cross*, where he put by the appointed

pointed Preacher, only to have an Opportunity of telling the People, what Reason they had to put by *Queen Mary*. Would that brave Martyr have been against a Bill of Exclusion, who was so zealous for Exclusion without a Bill?

Presently after, we have Objections thick and threefold, against the Bishops Reasons in *Q. Elizabeth's* time, recorded by *Sir Sim. D'Ewes*. He will not allow the Bishops by any means to be the *Authors* of them, that so he may take the greater Liberty in vilifying, and speaking his pleasure of them: Just as *p. 236.* he dissembles his Knowledge of a Book to be my Lord *Hollis's*, which, to my knowledge, he knew to be his as well as I, only that he might the more safely persist in calling it Impious and Treasonable. And because he appeals to me, whether I think the Bishops of the Church of *England* could pen such a Popish or Presbyterian Piece? I answer; 1. That I do verily believe they did pen that Piece; and further, that there were few others in those Days, who were able to pen so learned a Piece. And, 2. I will join issue with him when he pleases, that it is neither a Popish nor Presbyterian Piece, but worthy of the zealous Prelates of that

that Age, and agreeable to the Doctrine of the Homilies, to which all the Clergy of England have subscribed; which is more than can be said of Dr. *Hickes's Peculium Dei*.

First, There is no ground in the World to suspect, but these Arguments were part of the Reasons presented to the Queen in Parliament, because the Title says they were, and it is manifest that they are all in the same strain, and of a piece; and further, Sir *Simonds* says, that then, which was above fifty Years ago, there were written Copies of them remaining, in many hands; at which time it was very easy, if they had been forged, to have discovered it. 2dly; This Paper of Reasons ought not to be called *Anonymous*; for in the Body of it, the Bishops are named as the Authors of it, whereby the certain Authors of a Book are better known, than by a Title or Inscription. 3dly; There is nothing in those Reasons, but what was fit for Bishops in Parliament to urge; I say, in Parliament, where there was full Authority to have enacted all their Conclusions; but had been very improper to urge to a Judge at an Affizes: which very different Cases I am afraid the *Peculium* doth not distinguish. In

short, those Reasons are foully misrepresented by this Author, and rendred as only fit to proceed from a *Scotizing Presbyterian*.

Suppose now I should do the same by *Jovian*, and with more Justice say, it was a Book written by the Priests in *Newgate*; as not believing that a Book, which manifestly carries on *Coleman's* Design, and is made up of the very Doctrine of his Declaration for dissolving the Parliament, could come from a Minister of *London*. This would not be well taken; therefore our Author must pardon me, if it raises my Indignation, to have a Bench of as Reverend Bishops as ever were in the World, treated in the same manner. And I do again renew my Promise, that if he will please to print the Reasons of that Parliament at large, as I desired the Reader to peruse them at large, and add a Confutation of the Bishops Arguments, it shall not want an Answer.

Is it a Popish Piece, because it was for having a Law to put an Idolater to Death? Why then our Homilies are Popish too, for commending the Christian Iconoclast Emperors, who punished Image-worshippers, and Image-maintainers with Death. Or a Presbyterian Piece? Truly that is  
very



very notably guessed. What? because it talks of Godly Bishops, where it says, 'We see not how we can be accounted Godly Bishops, or faithful Subjects, if in common Peril we should not cry and give warning? A Scotizing Presbyterian would as soon have talkt of black Swans.

Well, but according to our Author, from excluding the next Heir to the Crown out of the World, there is no Consequence at all to excluding him from the Crown: I thought there had, but this it is not to be skilled in Jewish Learning: For, he says, *a rebellious First-born amongst the Jews might be put to Death, but not disinherited.* This is the prettiest Argument in the Book, if it were true; but it is like the rest, and notoriously false. For his own *Selden*, whom he quotes for such a Saying as *Pax est bona*, in the 24th Chap. of the very same Book, shews him several ways how the First-born, or only Son, or any Son might be disinherited, and defeated of his Succession. I see every Body has not a *Petavius* to direct him. However, a Man that could but read the English Translation of the Bible, might know that a Jewish Father had power to disinherit, because

because, *Deut. 21. 15.* that Power is restrained in one particular Case. *Grotius* upon the place gives the reason of that Restraint; says he, The Father might for just cause transfer the Right of the First-born to a younger Brother; but the Law took away that Liberty from a Man who had two Wives together, where there was danger it might be done upon light and trifling Occasions. And truly the Case of an Hebrew Heir had been very hard, if it had been Neck or nothing; if he might by the Law have been put to Death for that, for which he might not be disinherited. Tho, by the way, the Rabbins say, That Law of putting a Son to Death was never practised, no more than that of Retaliation, an Eye for an Eye, and a Tooth for a Tooth.

He falsely and invidiously says: *I challenge the House of Lords, the three Estates of Scotland, &c. to give but one Reason to prove a Bill of Exclusion to be unlawful.* I did not look so high, nor think of those great Persons, but of those whom I have often conversed with, and who, according to the Character I there gave of them, have furiously reproached three successive Houses of Commons upon account of that Bill: And I am afraid I shall have occasion

*But how if the House of Lords did not think the Bill of Exclusion unlawful?*

occasion to call upon them for their Reasons, even after this Author's performance. I always meant those Men who have misled too many, and too great Persons into a Belief, that a Bill of Exclusion is against both Law and Conscience; that it is such Injustice, as ought not to be done to save the World from perishing: And after they have asserted this, and laid it down for Gospel, are not able to say one wise Word in defence of it; and till they do, I am sure all the World will give me leave to follow them with this reasonable Demand.

I. His first Argument is, *That an Act of Exclusion is void, because it tends to the Disherison of the Crown.* This is so far from being true, that an Act of Parliament, which should deny the King and Parliament a Power of governing the Succession, would be a proper Act of Disherison of the Crown, because it would destroy one of the greatest Prerogatives of the Crown, and devest the King of such a Power as is part of his Crown, and which alone, in many Cases, can secure the whole to him. According to what Serjeant *Manwood* affirm'd in Parliament, 13 *Eliz.* 'That as for the

Sir Sim.  
D'Ewes  
Journ.p.165

Christ. Sub-  
ject. p. 536.

Journal,  
p. 164.

' Authority of Parliament (in determi-  
' ning of the Crown) it could not in  
' reasonable Construction be otherwise;  
' for whosoever should deny that Autho-  
' rity, did deny the Queen to be Queen,  
' and the Realm to be a Realm. The  
truth of it is, it tears up the very Foun-  
dations of our Government: For as  
Bishop Bilson has exprest it, *The Foun-  
dation of all the Laws of our Country is  
this, That what the Prince, and most Part  
of her Barons and Burgeses shall confer,  
that shall stand for Good.* But to come  
to the Point, this unalterable Norman  
Entail, whence is it? It was certainly  
made with hands, tho all the Roman Em-  
perors had not the Art of making one.  
Now I assert, That the King in his Parlia-  
ment, when ever he pleases to call one,  
has all the Power upon Earth, and full as  
much as ever was upon English Ground;  
and consequently can govern this *Norman*  
Entail, as shall be most for the Preservati-  
on of his Majesty's Sacred Person from  
Popish Plots, and of this Protestant Realm  
from the Hellish Power of *Rome*. And  
to deny this, were to disherit and disable  
the Crown, and as Mr. *Mounson*, in the  
13th of *Eliz.* expresses it, were an horrible  
Saying.

As an Appendix to this first Argument, first, he asks a shrewd Question, *If the Acts of Hen. VIII. about Succession were valid, by what Authority was the House of Suffolk excluded, and King James admitted to the Crown, contrary to many Statutes against him?* If our Author will shew me but one of those many Statutes whereby King James stood excluded, I will yield him the Cause. In the mean time, I wonder a Man should offer to make Acts of Parliament no more than waste Paper, when he knows nothing of them; and to talk of the House of Suffolk's Exclusion, when it was never included, nor ever had any Title or Pretensions to the Crown; and above all, to be so very absurd, as to quote the Recognition of the High-Court of Parliament, 1 Jac. cap. 1. where King James's Succession is owned for lawful, when at the same time he is invalidating all Acts of Parliament, which limit and determine of the Succession. For as the same Mr. Mounson argues, 'It were horrible to say, that the Parliament hath not Authority to determine of the Crown; for then would ensue, not only the annihilating of the Statute 35 Hen. 8. but that the Statute made in the first Year of her Majesty's Reign, of

Recognition, should be laid void; a Matter containing a greater Consequent than is convenient to be uttered. So that if our Author disables Acts of Parliament, which limit and bind the Descent of the Crown, he likewise disables that Act of Recognition. Our Author's Partner, Mr. Long, has urged this Act of Recognition a *Jacobi*, more strongly than any one Argument in his Book besides; for because it was made since the 13<sup>th</sup> of *Elizabeth*, he opposeth it to that, and gives it all the Power of a last Will. To which I shall only say thus much, That the very same Recognition, to a tittle, might have been made to King *James*, tho *Mary Queen of Scots* had been still living, and had only stood excluded by Act of Parliament: For, as Mr. Long may see by the Act before the Common-Prayer-Book, 14 *Carol.* 2. the Law can make great Numbers of Men as if they were dead, and naturally dead, before their Time; yea, tho many of them had a *Jus divinum* to preach, as being Episcopally ordained, and were descended in a right Line from the very Apostles. 2dly; Our Author quotes two Authorities: The one says, *A Bill of Exclusion, if it should pass, would change the*  
*Essence*

*Effence of the Monarchy, and make the Crown Elective; or, as another ingenious (but I am sure very scurrilous and irreverent) Pen saith, it would tend to make a Football of the Crown, and turn an Hereditary Kingdom into Elective. The same Answer will serve them both, namely, That an Act of disinheriting from the Crown, does own, and proclaim, and prove the Kingdom to be Hereditary: And further, I would be glad to know in what part of the Globe that Elective Kingdom lies, where the very Effence of it is this, that the present Possessor of the Crown shall have Power in declaring or disabling his Successor.*

II. His next Argument is from the Oaths of *Allegiance* and *Supremacy*, wherein a Minister of *London* especially ought to have used no Sophistry, because Oaths are sacred Things, and ought not by false Glosses and Interpretations to be turn'd into Snares, to entangle the Consciences of those who hereafter shall be desirous to secure the Protestant Religion; and withal, to involve three successive Houses of Commons in the Guilt of Perjury, only for discharging their Consciences to God and their Country. And because our  
Author,

Author, after he has done thus, stands upon his Justification, and calls *his Way of Arguing plain and honest*, and says, *he is not conscious of the least Sophistry in it*; I shall endeavour to make his Sophistry stare him in the face. I shewed him before in my Preface, by the most convincing Proof that could be produced, that by the Heirs and Successors mentioned in these Oaths, are meant Kings and Queens of this Realm of England: And if the old Oath of Allegiance at Common-Law, which I there quoted, had not expressly said so; yet Common-Sense would have taught us the very same: For Allegiance sworn to a Subject must needs be Treason. And therefore, as I there argued, it is a Falshood of very dangerous Consequence, to say, that any Person besides his Majesty hath now any Interest in those Oaths, or can lay claim to any part of them. Our Author had done well to have answered that Argument, before he had fallen to new-vamping of old baffled Fallacies, which I shall now examine.

*By the Oath of Supremacy, (as he says true) we are sworn, to our Power to assist and defend all Jurisdictions, Privileges, Prebeminencies, and Authorities, granted or belonging to the Kings Highness, his Heirs*  
and



and lawful Successors, united and annexed to the Imperial Crown of this Realm. Now one of these Jurisdictions, granted or belonging to the King's Highness, his Heirs and lawful Successors, united and annexed to the Imperial Crown of this Realm, is this, *That the King, with and by the Authority of the Parliament of England, is able to make Laws and Statutes, of sufficient force and validity to limit and bind the Crown of this Realm, and the Descent, Limitation, Inheritance, and Government thereof.* And therefore I ask, if they be not the perjured Persons, who by asserting an unalterable Succession, endeavour to destroy this Jurisdiction, Privilege, and Authority, which they are sworn to maintain? But our Author's *honest way of arguing*, is to have four Terms in a Syllogism. *Al* thus; We are sworn to defend the Rights of Supremacy vested in the King; *Ergo*, we are bound to defend an unalterable Succession, which is contrary to the Rights of this Supremacy. Again, we are sworn to defend all Privileges belonging to the King's Heirs and Successors, that is, Kings and Queens of England; *Ergo*, we are sworn to defend all the Privileges belonging to such as are neither Kings nor Queens, but Subjects of England,

*England*, and if they be excluded, never can be Kings or Queens of *England*. And therefore to our Author's first Question, I answer; No Subject can possibly have undoubted, transcendent, and essential Rights, Privileges, and Prebeminencies, united to the Imperial Crown of *England*; for if so, then the Imperial Crown of *England* is united to his Rights; which I would desire our Author to take heed of affirming, for we can have but one Sovereign, as there is but one Sun in the Firmament. To his second Question, I answer; By lawful Successors, is meant Kings and Queens of *England*, which have not been always next Heirs by Proximity of Blood; witness *Henry 7. Q. Mary*, and *Q. Elizabeth*, who could not be both Heirs in that manner to *Edward the 6th*. And further, I say, that the Oath of Supremacy only binds us to the King in being, and not to the whole Royal Family, otherwise we should have a great many Sovereigns at once; and it is made in our Author's Phrase, for the Behoof and Interest of the Crown, and not for the Behoof of him who may never be concern'd in it.

In the next place, we have these Words: *Some indeed have said, with our Author,*

Author, that the Oath of Supremacy is a Protestant Oath, and so could not be understood in a Sence destructive to the Protestant Religion; which is a meer Shift, and proves nothing, because it proves too much. Sir, I think it was much more a Shift, to find out a way to drive on the Popes Interest by an Oath, which does most solemnly renounce him; and under a pretence of unalterable Succession, of which there is not the least shadow in this Oath, but the direct contrary, to abandon this Protestant Kingdom to the Hellish Tyranny of Rome, which we are sworn to oppose, and all Protestants will oppose, even under a Popish Successor, if any such can be in England; and let Dr. Watson prove it, if he can, to be no less than resisting the Ordinance of God. But methinks it had been time enough to offer to prove that, after the Pope's Power had been re-established by a Law, and not to go about it now, when it is Treason to endeavour to reconcile Men to the Church of Rome. Thus much the Oath of Supremacy proves, which is not *nothing*, nor a Jot *too much*. And further, it proves, that we are bound, in order to the keeping out the Pope's Power, which we have utterly renounced, humbly to beg  
of

of his Majesty to foreclose a Popish Successor, who will infallibly let it in. I am sure, this way of assisting and defending the Jurisdctions and Authorities of the Crown is *in our Power*, and so is within the compass of our Oath; and therefore we are treacherous to the Crown, and false to our Oath, as well as to God, and to our Religion, if we will not do so much for any of them as this comes to. And I do seriously and earnestly recommend this Consideration to all that have taken the Oath of Supremacy, and especially to the Clergy of *England*, who have taken it several times over.

As for our Author's saying, *That moderate Papists will take the Oath of Supremacy*; I shall only say this to it, Let him shew me a Man that has taken this Oath, and prove him to be a Papist, and I will prove him perjured.

Again, he says, *As these are Protestant Oaths, they bind us the more emphatically to assist and defend the King against the Usurpation of the Pope, who pretends to a Power of deposing Kings, and of excluding Hereditary Princes from the Succession.*

*Ans.* We are bound emphatically to renounce all Power of the Pope, and therefore this among the rest; but we  
are

are bound to assert many Instances of that Power to the King, which we deny to the Pope, of which I have proved the Power of excluding a Popish Prince to be one : Which if the Pope himself exercises upon Protestant Princes, where he but pretends to be Supream ; he is a Wretch if he complains, or any Body for him, that the like is done by them who really are Supream. This, in short, is your plain and honest Arguing : We are sworn to deny the Pope's usurped Power ; Ergo, we are sworn to deny the King's just and lawful Power, which by the same Oath we are bound to maintain.

In the next Paragraph, our Author professes to all the World, that he has sworn Allegiance and Supremacy to Subjects, or to the unalterable Succession, or to I know not what, for he is not very clear. But as for all others, who have taken no such rash and unlawful Oath, they need no Absolution from it ; and consequently, there had not been such a World of Popery in the Bill of Exclusion upon that Score. And therefore I desire our Author not to trouble his Head about it ; and he may speak to the Great Man, whom he quotes for that notable Observation, to do so too. If he himself has been so forward, as to swear

swear before-hand to a Subject, he has done it in his own Wrong, and he knows how by Repentance to disengage himself from a rash, void, and unlawful Oath; for he ought to have sworn only to our Sovereign Lord the King that now is, and to his Highness Heirs and lawful Successors, Kings or Queens of this Realm of *England*, and other his Dominions depending on the same.

I never in my Life read any thing of that kind with greater pleasure, than his Conclusion of this second Argument; to see a Man bewildred, and confounded, and lost in his own Sophistry. I took notice in my Preface, of an Abuse in Common Speech, where Men that are only in possibility of being Heirs, are called Heirs, next Heirs, &c. in which absurd and dangerous Sense some weak Men have taken the Heirs and Successors mentioned in the Oaths of Allegiance and Supremacy, and thereupon were against a Bill of Exclusion. I then proved it, and therefore had the confidence to call it a *deceitful Prejudice*, and must now add, that it is a very *silly Prejudice*, because every Bill, Bond, Release, and almost any other Writing, that passes in common Intercourse among  
Men,

Men, wherein Heirs are mentioned, is sufficient to correct it; for where Men are concerned to speak properly, Heirs are always understood to be those who actually inherit. Now as in a Covenant, I promise to pay *A. B.* and to his Heirs, the yearly Rent of, &c. without promising one Farthing to his eldest Son, or without being bound that his eldest Son shall be his Heir after his Death, or without being obliged not to express a desire that *A. B.* would disinherit his eldest Son, if he have given manifest proof that he will utterly ruine the Estate and Family: So it is in these Oaths, with this difference, That it would be only the Absurdity and Inconvenience of paying my Rent twice over, to take Heirs for *possible Heirs*, in this lower and more familiar Instance of a Covenant, whereas it would involve us in Treason, to take Heirs in that Sence in the Oaths of Allegiance and Supremacy. But this unconscionable Man will have them taken in both Sences in these Oaths, Heirs and Successors, in the very same place, shall signify Subjects, and not Subjects, but Kings and Queens. Heirs shall stand for those that actually inherit, and not for them, but for those that may, and may

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not

not inherit, and in case of Exclusion never shall; And lawful Successors shall stand for such as lawfully succeed their Predecessors, and in the self-same place shall stand for unlawful Successors, a sort of Successors before their time.

In one word, Heirs and lawful Successors, in the Oaths of Allegiance and Supremacy, must either signify Kings and Queens, (as the Oath of Allegiance at Common-Law expounds it self, which the Lawyers call, *Benedicta expositio ex visceribus cause*, a blessed Exposition out of the Bowels of the Cause) or else they must signify Subjects; for it is contradictory, and Transubstantiation-Non-sense, to say they signify both. If they signify Kings and Queens, then we are no ways bound to any Person under that degree by those Oaths; and they have been very unfairly as well as mischievously urged against a Bill of Exclusion. If any Man say, they signify Subjects, then this grievous Inconvenience unavoidably follows, That we have promised, *from henceforth*, that is, from the Time we were sworn, and so onwards, *to bear them Faith and true Allegiance*; which, I suppose, no Minister of London, nor Minister of State in England, will think fit to affirm.



III. And now comes his third Argument, attended with a marginal Superfatation

of little sucking Arguments, such as *Dei gratiâ, Dieu & Mon droit, &c.* all equally concluding against a Bill of Exclusion.

The main Argument, for which he quotes Cook upon Littleton, of Tenures, is this: *The Inheritance of our Lord the King is a direct*

*Dominion, of which none*

*is the Author, but God alone.* The King holds of none but God; *He has no superior Lord*, as Cook explains himself in the same place; the Crown is no *Norman Fee*: *Ergo*, the King cannot bind and limit the Succession. I thought he could the sooner for that; for what shall hinder him from disposing of his own, for the Welfare, and with the Consent of his Kingdom, who have a greater Interest in their King than our Author is aware of.

From the aforesaid Principle, he gives us to understand that the Wise and the Learned infer this Conclusion, *That it would be Usurpation, without a manifest Revelation from God, to preclude any Person*

L 2

of

*Quere, Whether Dei Gratiâ, written with the very same Letters and Syllables in the Stile of the King of Poland, and of the Duke of Venice, does also prove an hereditary, and, which is much more, an unalterable Succession, in those two Countries?*

of the Royal Family from succeeding to the Crown. The Learned may do much; but I will go upon his Errand an hundred Miles an end, who will shew any other Man how to infer that Conclusion from that Argument. But for all that, they shew themselves neither learned, nor wise, in calling for a manifest Revelation from God for a Bill of Exclusion, because that may occasion others to demand a manifest Revelation for any Papist's Right to succeed in a Protestant Kingdom, where, by the Laws of that Kingdom, if he be reconciled to the Church of Rome,

he has not a Right to live;

A manifest Revelation to shew, why a \* Natural Fool or Mad-man, who cannot help it, may be put by the Succession, as not fit to govern; but a Papist, who is more dangerous and destructive to a Protestant Kingdom than both of them, and that by his own Fault too, may not be prevented. In a Word, a manifest Reve-

lation to shew, how a publick Enemy, as every Person who is reconciled to the Church

\* Bp. Bilson, pag. 420. *Extreme Folly and Frenzy he just Causes to remove Princes from bearing the Sword. Margin. And in the Text thus: As if the Right Heir to any Crown be a natural Fool; or he that is invested in the Crown, wax mad, and run besides himself: In either of these two Cases, any Realm, by publick Consent and Advice, may chuse another.*

Church of *Rome* is in the Eye of the Law, can possibly be the Fountain of Justice and Mercy, which is the true Notion of an English King. These things do stand more in need of a manifest Revelation to clear them up, than a Bill of Exclusion does, which is as manifestly lawful, as that the King and Parliament have power to make a just and necessary Law.

Besides, where was the Wisdom of our Author, or his Friends, in demanding a Revelation from God for a necessary Alteration of the Succession, when they themselves cannot pretend to one for the Establishment of it? Since it is an undeniable Maxime, both in Law and Reason, that *Things are dissolved, as they be contracted*; and an Obligation only by Word of Mouth, needs not Hand and Seal to discharge it. For by these unreasonable Demands, which are contrary to the known Laws of the Kingdom, they put Men upon Enquiries nice and unprofitable: As how, and for what cause the Monarchy of *England* came to be Hereditary? And whether a Popish Prince does not perfectly overthrow that excellent Constitution, and disinherit himself? This is laid down for a known and acknowledged Truth, in the Reasons

Sir Simon  
D'Ewes, p.  
216.

of the House of Commons, 14 *Elizab.* against *Mary Queen of Scots*. *Queen Elizabeth* was contented to disable the *Queen of Scots*, as a *Person unworthy of any Hope or Title, Prebeminence or Dignity within this her Land*; and the Law so to run, that if any should enterprize to deliver her out of Prison after her Disablingment, either in her Majesty's Life, or after the same, to be convicted immediatly of High-Treason; and her self assenting thereunto, to be likewise adjudged as a Traytor in Law. This the Commons in their large Answer represent both as needless, and as insufficient: 'Whereas it is  
'said, that it standeth to very good purpose, to proceed only in disabling of the  
'*Scotish Queen* for any Claim or Title to  
'the Crown; we take it, by your Majesty's favour, that such an especial disabling  
'of the *Scotish Queen*, is in effect a special  
'Confirmation of a Right that she should  
'have had: *Quia privatio presupponit habitum*. And further, we do take it  
'for a known Truth, that by the Laws  
'and Statutes of this Land now in force,  
'she is already disabled; and therefore  
'it is to small purpose, *rem aliam agere*.

And

And now I have done with our Author's Arguments, as they are his; for as they are *Scotch* or *Newmarket* Positions, I have nothing to say to them. Only it would be worth our Author's Pains, and he may get the Addressing Part of the University to help him, to reconcile this *Scotch* Act, which makes such a brave shew in his Preface, with the History of Succession in *Scotland*; lest, while he is so industrious to serve the Interest of a Popish Successor, he be found overthrowing the Titles of all the Kings of *Scotland* for these three hundred Years, not excepting his present Majesty's Title to that Kingdom, no, nor the Expectations of that very Person to whom he is so much devoted. The History in short is this:

*Robert Stuart*, the hundredth King of *Scotland*, and first of the Family of the *Stuarts*, had a Concubine named *Elizabeth More*, the Daughter of Sir *Adam More*, by whom he had three Sons, and two Daughters; and himself marrying *Eufemia*, the Daughter of the Earl of *Ross*, took care to marry *Elizabeth More* to one *Giffard*, a Noble-Man in the County of *Louthien*. By *Eufemia* he had Issue; *Walter* and *David*, Earls of *Athol*

Genealogy of the Kings of *Scotland*, in Sir *Tho. Murray's* Collect. of Statutes, printed at *Edinburgh*, 1681. p. 230. Appendix to King *Alfred's* Life, dedicated to the King.

and *Strathern*, and *Eufemia*, who was afterwards married to *James Duglass*, Son to the Earl of that Name.

*Sanderfon's* Life of King *Charles*, p. 230, 231, &c. concerning the Descent of the Earl of *Strathern*.

*Rerum Scotticar.* lib. 9. fol. 96, 97.

*Nec hac munificentia contentus, Comitibus ad Sconam indictis obtinuit, ut prateritis Eufemix liberis, in Rege creando gradus etatis observarentur.* *Holinshed's* Hist. of Scotland, p. 245.

The Queen *Eufemia* dying, and *Giffard*, the Husband of *Elizabeth More*, dying much about the same time, the King marries *Elizabeth More*, his former Concubine, and presently ennobles the Sons which he had by her, creating *John* Earl of *Carrike*, *Robert* Earl of *Menteith*, and *Alexander* Earl of *Bucquhane*. Nor was he content with doing so much for them, but he also obtained from a Parli-

ament at *Scone*, that (the Children which he had by *Eufemia* being past by) these should come to the Crown in their Course.

No Man will offer to say, that the Children of *Elizabeth More* were made inheritable by that After-Marriage: for, besides the apparent Insufficiency of it for that purpose, what need was there then of obtaining an Act of Parliament to make them so, and to set by the Children of *Eufemia*? Now, if no Law, or Act

*Act of Parliament, made, or to be made, can alter or divert the Right of Succession, according to the known Degrees of Proximity in Blood; what then becomes of the Scone Act? But if an Act made at Scone, can set aside three Persons at once, with all their numerous Descendents, for no Fault nor Forfeiture at all; why might not an Act made at Westminster, have done as much for one single Person alone, especially when that Westminster Act would have been in some respects as favourable as an Act of Grace? If our Author can tell why, he shall be a greater Oracle to me than the great Apollo.*

There is nothing betwixt this, and the End of the Preface, worth answering, which has not already been answered, unless it be that Passage where he withdraws his general Approbation of what I had written against Popery, as rashly given, *because I seem to deny that the Church of Rome is a true Church of Christ.* I desire our Author to make but one Business of it, and at the same time to withdraw his hearty Subscription to the Homilies, which do more than  
seem

seem to deny it, especially in the second part of the Homily for Whit-Sunday; for that whole Sermon is spent in shewing, first, what the true Church of Christ is, and then in conferring the Church of *Rome* therewith, to discern how well they agree together; and, lastly, in concluding, that because the Church of *Rome* is not the true Church of Christ; and the Bishops of *Rome*, and their Adherents, are not in the Church, therefore they have not the Holy-Ghost, tho they have for a long time made a fore Challenge thereunto; but by their Practices make it plain to all the World, that they have the Spirit of the Devil. It affirms, and, which is more, proves, *That the Church of Rome is not a true Church, nor has been these nine hundred Years, and odd.* So that our Author must go a great way back to seek his true Church of *England*, in his true Church of *Rome*.

I wonder in my Heart what those Gentlemen mean, who pretend to be the only Sons of the Church of *England*, and yet make nothing of blowing up whole Homilies at once, and are continually disgracing all the Protestant Principles of



of our glorious Reformers with one odious Name or other; and above all, are so very desirous to have it believed, that the pretended Church of *Rome*, but real Synagogue of Satan, *is a true Church of Christ*; which they are no more able to make out, than to prove the Devil to be a true Angel of Light. For instead of being a Catholick Church, it is a plain *Catholick Apostacy*, as the Protestation of Archbishop *Usher*, and the rest of the *Irish Bishops*, *Novemb. 1626.* does justly term it.

*Sanderson's  
Life of  
K. Charles,  
p. 66.*

AN  
ANSWER  
TO THE  
BOOK.

**H**AVING now done with the Preface, before I return an Answer to any part of the Book, I shall set down the Substance of it, whereby the Reader will be enabled to judg what parts of it do require an Answer. The Design of my Book was to shew, that the Primitive Christians would have been for a Bill of Exclusion; which I proved, by shewing how much they were against a Pagan Successor, both by their hearty Wishes he had been fore-closed,

closed, and by their Uneasiness under him, when he was Emperor.

Our Author answers the former of these Proofs, by endeavouring to shew that the Empire was not Hereditary, which I have already considered in the Preface. And as for the other Proof, which was the Behaviour of the Christians toward *Julian*, when he was Emperor, it is all Matter of Fact; and therefore, tho' our Author wrangles, and raises many Cavils about it, some of which I shall examine anon, yet he cannot disprove one Syllable of it. Now this Argument concludes *a fortiori* thus: Would not the Christians have petitioned at least for *Julian's* Exclusion, when he was a Subject, seeing they spent so many Prayers and Tears for his Destruction, when he was Emperor? Would that whole Church, which leaped for Joy, and triumphed at his untimely and violent Death, have scrupled his Exclusion? Would they have thought *Julian* wronged, in being barred from succeeding to the Empire, who thought themselves wronged and injured, in that *Constantius* did not kill him, instead of making him *Cesar*? Which *Julian* himself represents as the Sence of the City of *Antioch*.

*Misopog.*  
p. 89.

The

The Behaviour of the Christians was so very rough towards *Julian*, that I could not ascribe it wholly to his being a Pagan, but shewed, that his Illegal Oppression and Tyranny was also the cause why they pursued him with so much Hatred. The Substance of our Author's Answer to this is, That *Julian* could not oppress them illegally, if he would, *because it was his Royal Pleasure to have the Christians suffer after this manner; and his Will, according*

Pag. 90, 91. *to Gregory, was an unwritten Law, and much stronger than the written ones, which were not back'd with Power and Authority.* Yes, that is *Gregory's* Complaint, and the very illegal Oppression against which he exclaims, That when the Christians were under the Protection of the Publick Laws and Edicts, yet they were destroyed by dumb Signs, and private Hints, and oftentimes upon a meer presumption of the Emperor's Pleasure. And whoever will please to read *Jacob. Gothofredus* his *Ulpianus, sive de Principe legibus soluto*, will see how much our Author has perverted and misapplied all the Shreds of Civil Law, which he hath made use of upon this occasion. In short, our Author grants, that the Christians were highly provoked against *Julian*; but then he says,

says, p. 182. *The main Ground of their Displeasure against him was this, That he would not formally persecute them, nor put them to Death enough.* As for the word, *Formally*, we find that explained, p. 133. *He put them not to Death formally, as Christians, but accused and condemned them for other Crimes.* Now this is one Instance which I gave of his illegal Oppression and Tyranny, that being it did not stand with his Conveniencies, to enact Sanguinary Laws against Christianity, he found out ways of putting the Christians to Death, upon false and pretended Crimes of Sacrilege and Treason: So that tho they died meerly for their Religion, yet they had not the Honour of dying for it, but suffered under the Character of the greatest Malefactors, and both they and their Reputation were murdered at once. This indeed was a just Cause of their Displeasure against *Julian*; but I cannot say, with our Author, that they were displeased at him, *because he did not put them to Death enough*; for I thought he had given them their Belly-full of that. Does *Gregory* call him Dragon, Murtherer, common Cut-Throat, or as the Schol

Παλαμναίος.  
Schol. φοινικῆς  
δαίμονος.

Were

Were there no Halters nor Precipices in the Roman Empire, but must Heaven and Earth be moved against *Julian* for this, *because he would not put them to Death enough?* I can only say, 'Tis very much!

This Discourse about *Julian's* illegal Oppression of the Christians, and their Behaviour thereupon towards him, led me to speak of the Duty of Passive Obedience, or suffering for our Religion, which I asserted to be our Duty only then, when the Laws are against our Religion; and shewed, that Christianity does not oblige us to submit to illegal Violence, but to defend our selves against it. I found a Necessity for the true stating of this Duty, because the Doctrine of Passive Obedience has been so handled of late, as to tempt Oppression and Tyranny into the World, by pressing it upon Mens Consciences as a necessary Duty, that they ought to submit to the most Arbitrary Oppression, and illegal destructive Violence. I shewed, that by this Doctrine, in the Case of a Popish Successor, (which is no impossible Case, witness the Expedient at *Oxford*) we should be ready bound hand and foot, to invire the Popish Knife; it would expose a whole

whole Protestant People and Nation at once, and give them but one Neck, which a Popish Successor, by the Principles of his Religion, is bound to cut off. In defence of this Doctrine our Author spends the Remainder of his Book; to which, as being a matter of the greatest Consequence, I shall immediately apply myself, and consider the Arguments which he has brought for it.

That I may avoid all Obscurity in an Argument of this weight and importance; wherein the Lives of all English Protestants, and their Posterity, are concerned, I shall,

1. Shew how far this Author and I are perfectly agreed.
2. State the Difference betwixt us.

We are both agreed,

1. That the King's Person is Sacred and inviolable by Law.
2. That inferior Magistrates, acting by the King's Authority according to Law, may not be resisted.

And therefore neither the King's Person, nor his Authority, are any ways included in this Controversy.

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But

But in the second place, it is somewhat more difficult to state the Difference betwixt us; for never was there such a *Pro-  
tens* of Passive Doctrine as this is. Nevertheless, by tracing him carefully quite through this Argument, I find his Sense to be this: That by the Imperial Laws, or Laws of the Prerogative, in case the Forces of a Popish and Tyrannical Prince do outrage and murder the Liege People of *England*, contrary to the Political Laws, that is, the Common and Statute-Laws, which declare the Fundamental Propriety that the People of *England* have in their Lives, Liberties, and Estates, those Forces may not be resisted; for they who in their own Defence do resist them with Arms, may be legally hanged for it in this World, and (without Repentance) will be damned for it in that which is to come.

And yet this Author, pag. 274. asserts, *That the Laws of all Governments allow every Man to defend his Life against an illegal Assassin; and he that doth not so when he can, dies not like a Martyr, but a Fool.* Now Forces thus employed are no other than illegal Assassins. But, it may be, the Damnableness of resisting lies in resisting them



them with Arms? No, it is not that; for our Author in the same place says, *Contra Sicarium quilibet homo est miles*: Any Man is a lawful Souldier against a Cut-Throat; that is, may use a Sword against him, and not only a Switch. Neither is it their being called the King's or Sovereign's Forces, which makes them irresistible; for, p. 280, he allows, that a Man may defend himself against an Assassin sent by the King's Order; because, says he, *the King's Law, which is his most Authoritative Command, allows us (as I suppose) that Benefit.* And therefore it remains, that the Damnableness of resisting them lies in this, that they are Forces, and murder in Troops: So that tho any Man is a lawful Souldier against a Cut-Throat, yet no Man is a lawful Souldier against Cut-Throats; and indeed this last Particular is the only Thing, wherein our Author has not been pleased to answer himself.

Now in opposition to our Author, I hold, That if the Sovereign cannot authorize one single Person to do an Act of illegal Violence; much less can he authorize Forces, or great Numbers of Men, to do such illegal Acts: And that there is just the same Reason, Law, and Con-

science, a thousand times over, to resist a thousand Murtherers, that there is to resist one.

His Conclusions, I confess, are very terrible to Flesh and Blood ; but I take comfort, when I look back upon the Principles from whence he infers them, which are absurdly false, and so far from supporting that Battery which he raises upon them, that they fall with their own Weakness, Rottenness, and Incoherency. His Principles are, an unlimited, boundless, Sovereign Power ; two Tables of Laws, which break one another ; some Preambles of Statutes, which he stifles, and will not suffer to speak out ; and a false Pretence of the Sovereign's Honour.

First ; He begins with the Notion of a Sovereign, p. 200. by which all the World may see, that he no more understands what an English Sovereign is, than I know what *Prester John* is. Does not every Body know, that the very same Titles of Power and Office have a several Notion in several Countries ? As, to compare great Things with small, a Constable in *England* is conceived under another Notion than a Constable in *France*. And so tho an *Assyrian* King were conceived under the Notion of Absoluteness,  
whom

whom he would, he slew; and whom he would, he made alive; whom he would, he set up; and whom he would, he pulled down; and his Will did all: Yet this is quite contrary to the Notion of an English King; as *Bracton* tells us, *Non est enim Rex, ubi dominatur Voluntas, & non Lex*: Where Will governs, and not the Law, the Notion of a King is lost. Nay, the Laws of King *Edward*, confirmed by *William* the Conqueror, and sworn to be kept by all succeeding Kings in their Coronation-Oath, have these Words: *Rex autem, quia Vicarius summi Regis est, ad hoc est constitutus, ut regnum terrenum & populum Domini & regat, & ab injuriis defendat, &c. Quod nisi fecerit, nec nomen Regis in eo constabit, verum nomen Regis perdit.* These, I hope, are better Authorities in this Matter, than *Sam. Bochart*, our Author's French Oracle, who, like a Forreigner as he was, fetch'd his Notions of our Government from the Motto of the King's Arms, *Dieu & mon droit.*

Lib. 1. cap. 8.

*Leges Edvardi Regis, quas confirmavit Gulielmus Bastardus. De Regis Officio, cap. 17.*

I need not trouble my self in examining our Author's Scheme of Sovereign Power, or the Rights of the Sovereign, which is full of Equivocation and Fallacy; witness the last particular of it, where he attri-

P. 201, 202.

butes to the Sovereign the whole Legislative Power : Which methinks he might have left out, as well as he has done another main Branch of the Sovereign Power, which Writers of Government call *Universale & eminens Dominium*, or a Power of laying Taxes upon the Subject. But therein our Author had Reason ; for if he had but mentioned that Right of Sovereignty, every English-man, who had ever read a Subsidy-Act, or Money-Bill, would immediatly have discovered the fraudulent Contrivance of that whole Discourse.

And because our Author writes, as if he were better studied in the modern French Monarchy, than in the *ancient, equal, happy, well-poised, and never enough to be commended Constitution of this Kingdom*, as King Charles the First calls it ; I shall take this occasion to set down these few Words of that wise Prince concerning it : \* There being three Kinds of Government amongst Men, absolute Monarchy, Aristocracy, and Democracy ; and all these having their particular Conveniencies, and Inconveniencies, the Experience and Wisdom of your Ancestors hath so moulded this out of a mixture of these, as to give to this Kingdom

*Ans. to 19  
Prop. p. 96.*

dom (as far as humane Prudence can provide) the Conveniencies of all three, without the Inconveniencies of any one. But we have some little People risen up amongst us, who with a Dash of their Pen will new-mould the Government, endeavouring, as much as in them is, to dissolve this excellent Frame, and to change it into an absolute Monarchy. The establish'd Constitution does not agree with the new Models they have seen abroad, nor with the new Notions they have got by the end; and therefore, tho it be the Product of the long Experience, of the deepest Insight, and of the united Wisdom of a whole Nation; yet it must give place to new Inventions, and submit to be regulated by an Epistle of a French Author. The two Houses of Parliament, which have a joint Authority in making Laws, as the King expressly says, *In this Kingdom the Laws are jointly made: by a King, by a House of Peers, and by a House of Commons;* as also every Act that is made, in the very enacting of it, tells us, shall, by the new common Laws of Sovereignty, only perform a Ministerial part, of preparing Bills and Writings, and finding a Form of Words for the Sovereign alone to enact. And so

K. Charles's  
Mellage  
from Not-  
tingham,  
Aug. 25.

likewise the Prerogatives of the King, which are built upon the same Law of the Land, upon which is built the Propriety and Liberty of the Subject, and which is the most firm and stable Bottom in the World, shall, in this new and treacherous way, be founded upon a floating Notion of Sovereignty; which is a Notion indeed, any farther than it is supported by the Law of the Land. And therefore, if any Man would know for certain what the King's Prerogatives are, he must not take his Information from Notions of Sovereignty, which are as various as the Faces of the Moon, but from the Law of the Land, where he shall find them granted or belonging, united and annexed to the Imperial Crown of this Realm: Amongst which this is not the least, *That the King can do no Wrong; The King is God's Lieutenant, and is not able to do an unjust Thing. These are the Words of the Law,* says Judg Jenkins. Consequently he cannot overthrow the Laws, nor is he able to authorize any Forces to destroy his Liege Subjects; for this would be the highest Wrong and Injustice: And therefore Forces so employed, act of their own Heads; and upon their own wicked Heads, let their own Mischief fall. And

Works, pag.  
41.

And yet our Author is pleased to call such Wretches, so employed, the *Sovereign's Forces*, and his *Armies*, p. 203, 221, against which we must not, upon pain of Damnation, defend our selves. I appeal to all the Lawyers of *England*, whether the Law will own any Number of Men to be authorized by the King, in outraging and destroying his Liege People; or whether it be not a great Aggravation of their Crime, to pretend a Commission from the King, to warrant such illegal and destructive Violence? But this Author, who is resolved to be an Advocate for Bloodshed and Oppression, will shelter an Association of Murderers under his common Laws of Sovereignty; and if they ravage and destroy in the King's Name, which doubles the Crime, will make that their Protection: And lastly, (which is the great Cheat that runs through this whole Discourse) to make them irresistible, he shrouds and covers them under the Name of the Sovereign. For it is plain, that in his Answer to my five Propositions, p. 204, 205. and generally throughout the following Chapters, by *Sovereign* he means *such Forces of the Sovereign*; for he bears me witness, p. 221. that I acknowledged even a Popish Sovereign

raign to be inviolable, as to his own Person. I know that deceiving Men for their Good, has heretofore been excused as a pious Fraud; but I am sure, that such foul Practice as this, to ensnare Mens Consciences, and to cheat them out of their Lives, is an impious Fraud; and as such, I leave it with the Author of it, and pass to the

Second Thing; His Distinction of Imperial and Political Laws. Common Law we know, and Statute-Law we know; but who are ye? I confess, I have heretofore seen something not unlike that Distinction in *Æsop*, where there was a Political Law or Compact, fairly made betwixt the Lion, the Fox, and the Ass; but while the Ass was proceeding by the Measures of that Law, of a sudden the Imperial Lion-Law broke loose, and tore him in pieces. It concerns us therefore to examine, upon what Foundation this dangerous Distinction is built; and if it prove to be false and groundless, the good People of *England* have little to thank this Gentleman for.

Pag. 210. we have these Words: *Thus De laudibus the Learned Chancellor Fortescue grants Leg. cap.9. the King of England to have Regal or Imperial Power, altho it be under the Restraints and*



and Regulation of the Power Politick, as to the Exercise thereof. That Distinction in the last Clause is false, as I shall shew anon. From that perverted Passage of Chancellor *Fortescue*, where he speaks of Regal and Politick Dominion, I doubt not but our Author, or some Body for him, framed his new Distinction of Imperial and Political Laws, and contrived them into two contradictory Tables; by one of which the Subjects Rights and Properties are secured and established, and are all overthrown by the other.

The Lord Chancellor *Fortescue* is the first English Lawyer that used the Terms of Regal and Politick Government, which he owns to have borrowed from *Thomas Aquinas*, in his Book *de Regimine Principum*, dedicated to the King of Cyprus, by which Phrase that old Schoolman express a mixed and limited Monarchy: For any Man that pleases to read those Books, will see, that *Aquinas* understands by Regal Government, an absolute Monarchy; and by Politick Government, such Governments as the Commonwealths of *Rome* and *Athens*; and by Regal and Politick, a King ruling by a Senate, and prescribed Rules of Law. And that Chancellor *Fortescue*, in his Dialogue

Dialogue with the Prince of *Wales*, makes no other use of the Phrase than *Thomas Aquinas* did, will sufficiently appear, by setting down his Discourse at large; wherein I desire the Reader's Patience, because I intend it as a Specimen of this Answerer's Faithfulness in quoting his Authors: In which Discourse, that great Lawyer sometimes calls this Government Regal and Politick, sometimes a Politick Kingdom; but what he means by it, is best exprest in his own Words.

‘*Chap. 9.* You stand in doubt, *most*  
 ‘*worthy Prince*, whether it be better for  
 ‘you, to give your Mind to the Study of  
 ‘the Laws of *England*, or of the Civil  
 ‘Laws, because they throughout the  
 ‘whole World are advanced in Glory  
 ‘and Renown, above all other Humane  
 ‘Laws: Let not this Scruple of Mind  
 ‘trouble you, *most noble Prince*; for the  
 ‘King of *England* cannot alter nor change  
 ‘the Laws of his Realm at his pleasure.  
 ‘For why, he governeth his People by  
 ‘Power, not only *Royal*, but also *Politi-*  
 ‘*tick*. If his Power over them were *Royal*  
 ‘only, then he might change the Laws of  
 ‘his Realm, and charge his Subjects with  
 ‘Tallage, and other Burdens, without  
 ‘their

‘ their consent ; and such is the Dominion  
‘ which the Civil Laws purport, when  
‘ they say, *The Prince’s Pleasure hath the*  
‘ *Force of a Law.* But from this much  
‘ differeth the Power of a King, whose  
‘ Government over his People is *Politick*;  
‘ For he can neither change the Laws  
‘ without the consent of his Subjects, nor  
‘ yet charge them with strange Impositions  
‘ against their Wills. Wherefore his Peo-  
‘ ple do frankly and freely enjoy their  
‘ own Goods, being ruled by such Laws  
‘ as they themselves desire ; neither are  
‘ they pilled by their own King, or by  
‘ any Body else. Like Pleasure also and  
‘ Freedom have the Subjects of a King  
‘ ruling by Power Royal only, so long  
‘ as he falleth not into Tyranny. Of  
‘ such a King speaketh *Aristotle*, in the  
‘ 3<sup>d</sup> Book of his *Politicks*, saying, *That*  
‘ *it is better for a City to be governed by a*  
‘ *good King, than by a good Law.* But  
‘ forasmuch as a King is not ever such a  
‘ Man, therefore *St. Thomas*, in the Book  
‘ which he wrote to the King of *Cyprus*,  
‘ of the *Governance of Princes*, wisheth  
‘ the State of a Realm to be such, that it  
‘ may not be in the King’s Power at plea-  
‘ sure to oppress his People with Tyranny,  
‘ which Thing is accomplished, only  
‘ when

' when the Power Royal is restrained by  
 ' a Politick Law. Rejoyce therefore,  
 ' *most worthy Prince*, and be glad, that  
 ' the Law of the Realm wherein you are  
 ' to succeed, is such; for it shall exhibit  
 ' and minister to you, and your People,  
 ' no small Security and Comfort. With  
 ' such Laws, as saith *St. Thomas*, should  
 ' all Mankind have been governed, if in  
 ' Paradise they had not transgressed God's  
 ' Commandment: With such Laws also  
 ' was the Synagogue ruled, while it was  
 ' under God only as King, who adop-  
 ' ted the same to him for a peculiar King-  
 ' dom; but at the last, when at their re-  
 ' quest they had a Man-King set over  
 ' them, they were then, under Royal  
 ' Laws only, brought very low.

' *Chap. 10.* Then the Prince thus said;  
 ' How cometh it to pass, good Chancel-  
 ' lor, *that one King may govern his People*  
 ' *by Power Royal only, and that another*  
 ' *King can have no such Power?* Seeing  
 ' both these Kings are in Dignity equal, I  
 ' cannot chuse but much muse and mar-  
 ' vel, why in Power they should thus  
 ' differ. Of which Difference in Author-  
 ' ity over their Subjects, the Chancellor  
 ' in the next Chapter promises to shew  
 ' the Reason, which is grounded upon the  
 the

the different Originals of those Kingdoms. And accordingly, *chap. 12.* he shews, that an Absolute Monarchy is founded in the forced Consent of a subdued and enslaved People; and, *chap. 13.* That a Kingdom of Politick Governance is founded in the voluntary Consent of the Community. And after he has illustrated the first Institution of a Politick Kingdom, by shewing how it resembles the Formation of a natural Body, he thus proceeds in the 13<sup>th</sup> Chapter.

‘Now you understand, *most noble Prince,* the Form of Institution of a Kingdom Politick, whereby you may measure the Power, which the King thereof may exercise over the Law and Subjects of the same. For such a King is made and ordained for the Defence of the Law of his Subjects, and of their Bodies and Goods, whereunto he receiveth Power of his People, so that he cannot govern his People by any other Power. Wherefore to satisfy your Request, in that you desire to be certified, how it cometh to pass that in the Power of Kings there is so great diversity: Surely in mine Opinion, the diversity of the Institutions, or first Ordinances of those Dignities, which I have now declared,

\*Comitiva.

'clared, is the only Cause of this foresaid  
 'Difference, as of the Premises by the  
 'Discourse of Reason you may easily  
 'gather. For thus the Kingdom of Eng-  
 'land, out of Brute's \*Retinue of the Tro-  
 'jans, which he brought out of the Coasts  
 'of Italy and Greece, first grew to a Po-  
 'litick and Regal Dominion. Thus also  
 'Scotland, which sometime was subject to  
 'England, as a Dukedom thereof, was  
 'advanced to a Politick and Royal King-  
 'dom. Many other Kingdoms also had  
 'thus their first beginning, not only of  
 'Regal, but also of Politick Govern-  
 'ment. Wherefore *Diodorus Siculus*, in  
 'his second Book of ancient History,  
 'thus writeth of the *Egyptians*: The  
 'Egyptian Kings lived at first, not after  
 'the licentious manner of other Rulers,  
 'whose Will and Pleasure is instead of  
 'Law; but as it had been private Per-  
 'sons, they were bound by the Law;  
 'neither did they think much at it, being  
 'persuaded, that by obeying the Laws  
 'they should be happy: For by such  
 'Rulers, as followed their own Lusts,  
 'they thought many Things were done,  
 'whereby they should incur divers Harms  
 'and Perils. And in his fourth Book,  
 'thus he writeth: The *Ethiopian King*,  
 'as

‘as soon as he is created, he ordereth  
 ‘his Life according to the Laws, and  
 ‘doth all things after the Manner and  
 ‘Custom of his Country, affigning nei-  
 ‘ther Reward nor Punishment to any  
 ‘Man, other than the Law made by his  
 ‘Predecessors appointeth. He reporteth  
 ‘much the same of the King of *Saba*, in  
 ‘*Arabia Felix*; and of certain other  
 ‘Kings, which in old Time reigned  
 ‘happily.

‘*Chap. 14.* To whom the *Prince* thus  
 ‘answered: You have, good Chan-  
 ‘cellor, with the clear Light of your  
 ‘Declaration, dispelled the Clouds where-  
 ‘with my Mind was darkned; so that I  
 ‘do most evidently see, that no Nation  
 ‘did ever of their own voluntary Mind  
 ‘incorporate themselves into a Kingdom,  
 ‘for any other Intent, but only to the  
 ‘end that they might enjoy their Lives  
 ‘and Fortunes (which they were afraid  
 ‘of losing) with greater Security than  
 ‘before. And of this Intent should  
 ‘such a Nation be utterly defrauded, if  
 ‘then their King might spoil them of  
 ‘their Goods, which before was lawful  
 ‘for no Man to do. And yet should  
 ‘such a People be much more injured,  
 ‘if they should afterwards be governed

N

‘by

by foreign and strange Laws, yea, and  
such as they peradventure deadly hated  
and abhorred. And most of all, if by  
those Laws their Substance should be  
diminished, for the Safeguard where-  
of, as also for the Security of their  
Persons, they of their own accord sub-  
mitted themselves to the Governance of  
a King. No such Power for certain  
could proceed from the People them-  
selves; and yet, unless it had been from  
the People themselves, such a King  
could have had no Power at all over  
them. Now on the other side, I per-  
ceive it to stand much otherwise with  
a Kingdom, which is incorporate by  
the King's sole Power and Authority,  
because such a Nation is subject to him  
upon no other Terms, but that this  
Nation, which was made his Kingdom  
by his Will and Pleasure, should obey  
and be governed by his Laws, which  
are nothing else but the same Will  
and Pleasure. Neither have I yet,  
good Chancellor, forgotten that, which  
in your Treatise of the Nature of the  
Law of Nature, you have learnedly  
proved, that the Power of these two  
Kings is equal; while the Power of  
the one, whereby he is at liberty to  
deal



deal wrongfully, is not by such Liberty augmented; as to have Power to decay and die, is not Power, but because of the Privations which are added to it, is rather to be called Impotency, and Want of Power, because, as Boetius saith, Power is not but to Good. So that to be able to do Evil, (which the King who rules Regally is more at liberty to do, than the King that has a Politick Dominion over his People) is rather a Diminution than an Increase of his Power: For the Holy Spirits, which are now established in Glory, and cannot sin, do in Power far excell and pass us, who have a delight and pleasure to run headlong into all kind of Wickedness.

It is plain to any attentive Reader, that throughout this long Discourse, *Fortescue* speaks but of two sorts of Kingdoms, an absolute Monarchy, and a limited Monarchy; the latter of which he sometimes calls a Politick Government, and sometimes he calls the very same Regal and Politick, to distinguish it more expressly from an Aristocracy or Democracy.

But I will prove this beyond contradiction, by some other Passages in *Fortescue*,

Regnorum  
amborum, fol.  
30. 2. Reges  
ambo, fol. 28. 2.  
Horum duo-  
rum Regum,  
fol. 35. 2.

Cap. 33. fol.  
78. a.

Cap. 37. f. 88. a.

Cap. 35. f. 82. a.  
Cap. 36. f. 86. a.

*tescue*, where he tells us, that some of the former Kings of *England* would fain have changed the Laws of *England* for the Civil Law, and did all they could to shake off this Politick Yoke of the Law of *England*, that they also might rule, or rather rage over their Subjects in Regal-wise only; and for this end, endeavoured with might and main to cast away their Politick Government. This is what our Author would have, and very agreeable to his Hypothesis; for then the Regal or Imperial Power had been discharged of the Politick Clog, and had governed all alone; and the Notions of Sovereignty and Passive Obedience, had been as clear as the Sun. But then in some other unlucky places, the same *Fortescue*, speaking of the self-same Thing, says, That those former Kings of *England* would have parted with their *Law Politick and Regal too*, and would fain have changed them both for the Civil Law. It seems, they were as weary of the one as of the other, which could not possibly be help'd; because they were all one.

And now I appeal to all the World, whether here be any Foundation for a Table of Imperial Laws, which can at pleasure

pleasure destroy the Lives, Liberties, and Properties of the Subject? And whether, on the other side, according to *Fortescue*, the Safety and Security of the People be not the supream Law of a Regal and Politick Kingdom?

But because our Author is mighty troublefom with his Imperial Laws, and Imperial Power, and boundless Power, and such like Terms of his own coining, which is a Presumption at least, that what he writes is not Law, but his own Dreams, which no Terms of English Law can express; I shall tell him, from these Passages of *Fortescue*, That the greatest Power the King of *England* has, is this, that he can do no Wrong; that he cannot authorize any Man, or Number of Men, to destroy his Subjects contrary to Law; consequently, that all such illegal destructive Acts, tho attempted in his Name, are inauthoritative, and do neither bind any Man's Conscience, nor tie any Man's Hands, from using those Remedies, which the Laws of God and Nature, as well as the Common and Statute-Laws of the Land, do allow to be used against all evil-disposed Persons. I shall tell him likewise from these following Authorities, and many more which might

Quod Lex at-  
tribuit ei, vi-  
delicet domi-  
nationem &  
potestatem.  
*Lib. 1. cap. 8.*  
*Works, p. 31.*

*Declarat. to  
the Ministers  
and Freehol-  
ders of the  
County of  
York.*

be produced, that his Assertion of an absolute unbounded Power in the King, which is limited only in the Exercise of it, is perniciously false: For the Law gives the King his Power and Dominion, says *Bracton*. We hold only what the Law holds, saith *Judg Jenkins*. The King's Prerogative, and the Subjects Liberty, are determined, and bounded, and admeasured by a written Law, what they are: We do not hold the King to have any more Power, neither doth his Majesty claim any other, but what the Law gives him. Accordingly, King Charles the First acknowledges, that his Prerogatives are built upon the Law of the Land; which, in another place he declares, are the justest Rule and Measure for them.

I shall add but one remarkable Passage more, out of the King's Answer to both Houses concerning the *Militia*, Feb. 28. 1641. 'And his Majesty is willing to grant every of them such Commissions, as he hath done this Parliament to some Lords Lieutenants by your Advice; but if that Power be not thought enough, but that more shall be thought fit to be granted to these Persons named, than by the Law is in the Crown: it self, his Majesty holds it reasonable,

sonable, that the same be by *some Law*  
*first vested in him*, with Power to trans-  
 fer it to these Persons, which He will  
 willingly do.

Now this is Demonstration: if the Law  
 be the Measure of the King's Power, then  
 he has no Power beyond the Bounds of  
 the Law; and whatsoever is pretended  
 in the King's Name beyond those Bounds,  
 is void, and carries no manner of Autho-  
 rity with it. Whereas to say, the King's  
 Power is absolute and boundless, is to  
 say, the Government is absolute and ar-  
 bitrary, and requires absolute and unli-  
 mited Subjection. For it is Nonsense to  
 say, that boundless Power can be *limited*  
*in the Exercise of it*; for boundless Power,  
 which has in it the whole Legislative  
 Power, can at pleasure make a Law to  
 take away that Limitation; and he that  
 is limited only by his own pleasure, is not  
 limited at all. And again, that is not  
 Power, which cannot be exercised; and  
 therefore a Fountain full of boundless *Pag. 110.*  
 Power, which cannot be brought into  
 Act, is a Fountain full of inauthoritative  
 Authority, or full of Emptiness.

So much for our Author's Fountain,  
 Pipes, and Channels. We have his other  
 Illustration of a boundless limited Power

in these Words: 'To be confined in  
 'the Exercise, doth not destroy the Be-  
 'ing, nor diminish the Perfection of So-  
 'vereign Power; for then the Power of  
 'God himself could not be Sovereign,  
 'because there are certain immutable  
 'Rules of Truth and Justice, within  
 'which it is necessarily limited and confi-  
 'ned. I answer; As God exercises no  
 Power which is inconsistent with Truth  
 and Justice, so he has no such Power in  
 him in the Root or Being, for it is all  
 Imperfection and Weakness: And that  
 he neither exercises, nor has any such  
 Power, is not to be imputed to any in-  
 trinsical Limitation or Confinement, but  
 to the infinite and illimited Perfection of  
 his Nature. And if such a miscalled  
 Power, or Possibility of doing wicked-  
 ly, be found in the Creature, it is because  
 he is a Creature, it proceeds from Fi-  
 niteness and Defect.

And to shew our Author, how much  
 more Light there is in a few plain Words,  
 than in his Similitudes and Illustrations;  
 I say, It is self-evident, that a Man has no  
 more Power in any kind than he can exer-  
 cise: A Man has no more natural Power,  
 than he can naturally exercise; he has no  
 more moral Power, than he can morally  
 exer-

exercise ; he has no more Civil or Legal Power, than he can legally exercise : For to say he has more Power than he can exercise, is to say, he can do more than he can do. And therefore an Ocean of our Author's boundless lawful Power of doing what cannot lawfully be done, will not fill an Egg-shell, and is such a New-nothing, as even Children will despise.

Before I pass from this Distinction of Imperial and Political Laws, I must say somewhat to a Heap of Authorities, which we have, p. 208, 209. to prove that the Realm of *England* is an Empire, that the Crown of it is an *Imperial Crown*, and that one of the Saxon Kings stiled himself, *Basilus, Imperator, & Dominus*. Well, what of all that? The Realm of *England* is an Empire, has an Imperial Crown, and is as independent upon any Foreign Realm, as the Empire of *Turkie* ; therefore the Freemen of *England* are as very Slaves as any are in *Turky*, and under Imperial or Bowstring Law. If that be your Consequence, I will give you your whole Life's time to make it good. But *Edgar* stiled himself *Basilus, Imperator & Dominus* ; And *Carolus Rex* signifies a great deal more than all those three Titles did.

K. Edward's  
Laws, cap. 17.  
de Officio Re-  
gis, confirmed  
by the Conque-  
ror, and sworn  
to by all suc-  
ceeding Kings.

Testam. Al-  
fredi. Et me-  
cum tota no-  
bilitas West-  
Saxonica gen-  
tis pro re to-  
jare contenti-  
unt quod me-  
eporter dimi-  
tere eos ita li-  
beros sicut in  
homine cogi-  
tatio ipsius  
consiliis.

did. I am ashamed to see Rolls of Parli-  
ament quoted for such poor Trifles; for  
it is plain, by all the Remains which we  
have of the Saxon Times, by History,  
by the Saxon Laws, by King Al-  
fred's Will in *Affer Menevensis*, and by  
the Mirrour, that the Saxon Kings were  
far from being absolute Emperors, having  
no other Power than what was limited  
and restrained by Law, and Rules of  
Right, as is largely set down in the Mir-  
rour, p. 8. *Eslierent de eux un Roy a  
reigner sur eux, & gouverner le Peuple  
d' Dieu, & a maintenir & defendre les  
persons & les biens en quiet per les Rules  
d' droit; & al commencement ils fieront le  
Roy jurer que il mainteindroit la sancte  
foi Christiane ove tout son poiar, & la  
people guideroit per droit, sans regard  
a aucun person, & serroit abbeissant a suffre  
droit come autres de son people. And,  
p. 9. in case the King did Wrong to any  
of his People, that he might not be Judge  
and Party too. Convient per droit que le  
Roy ust Compaignions pur Ouer & Ter-  
miner aux Parliaments trestouts les  
brevés & plaints de toz de le Roy, de la  
Roigne, & de leur Infans, & de eux es-  
pecialment de que toz leu ne poist aver  
autrement Common droit. And for this  
purpose*



purpose, as well as to make Laws for the good Government of the People, it was ordained in King *Alfred's* time, for a perpetual Usage, that a Parliament should meet twice a Year at *London*, and oftner, if need were, as you have it, p. 10. And you have a great many particular Laws, which were made in those Parliaments, p. 15. Amongst other things it was ordained, that all Plaintiffs should have Writs of Remedy in the King's Court : *Aussi bien sur le Roy ou sur la Roigne, come sur autre del peuple, d' chescun injury, forsq; en vengeance d' vie & d' membre, ou pleint tient lieu sans brief.* And in the last place, to avoid prolixity, this Book, speaking of the Abusions of the Common Law, that is, Practices which are Frauds to the Law, and repugnant to Right, pag. 282. hath these Words : *La premier & la souveraigne abusion est que le Roy est oustre la ley, ou il duist \* ceste subject ; sicome est contenu in son serement.*

\* Vid. Leg. Cetre.

2 Abusion est que ou les Parlements se duissent faire pur le salvation des Almes de Crespassez, & ceo a *London* & deux foits per An, la ne se font ils ore forsq; rarement, & a la volunt le Roy pur aides & cuilets de tresore, &c. *Vide Abusion* 153, p. 308.

I hope this pure old French, of which Chancellor *Fortescue* says the modern is but a Corruption, will inform our Author what Power a Saxon King had, and what *Basileus*, *Imperator* & *Dominus* signified.

I come now to the next-Head, to examine some Preambles of Statutes, which he either quotes to no purpose, or else mangles them, in the same manner as Scripture was once quoted to our Saviour, and for the self-same end, namely, to teach Men to tempt God and Danger at once.

His first Collection of Preambles, pag. 212, 213, consists of Declarations, that the Crown and Realm of *England* is not in subjection to the Pope : which make nothing at all to our Author's purpose, but very much against it, if he did not stifle them with *Et cetera*'s, and long Strokes ; for the Truth of which I refer the Reader to those Statutes, and shall only set down 25 *H. 8. cap. 21.* for I am not at leisure either to transcribe the Statute-Book, or to winnow all our Author's Chaffe.

He says, pag. 212. *The Parliament directing their Declaration to the King, enacted*  
and

*and declared,* 'That this your Graces  
'Realm, recognizing no Superiour un-  
'der God, but only your Grace, hath  
'been, and is free from Subjection, &c.  
Now the following Words are these :  
'To any Man's Laws, but such as have  
'been devised, made and ordained with-  
'in this Realm, for the Wealth of the  
'same, or to such other, as by Sufferance  
'of your Grace, and your Progenitors,  
'the People of this your Realm have ta-  
'ken at their free Liberty, by their own  
'Consent, to be used amongst them, and  
'have bound themselves by long Use and  
'Custom to the Observance of the same ;  
'not as to the Observance of the Laws  
'of any Foreign Prince, Potentate, or  
'Prelate, but as to the Custom and an-  
'cient Laws of this Realm, originally esta-  
'blish'd as Laws of the same, by the said  
'Sufferance, Consents, and Custom, and  
'none otherwise. It standeth therefore  
'with natural Equity and good Reason,  
'that all and every such Laws Humane,  
'made within this Realm, or induced in-  
'to this Realm, by the said Sufferance,  
'Consents and Custom, your Royal Ma-  
'jesty, and your Lords Spiritual and  
'Temporal, and Commons, representing  
'the whole State of your Realm in this  
'your

‘your’ most High Court of Parliament,  
 ‘have full Power and Authority, not on-  
 ‘ly to dispence, but also to authorize  
 ‘some elect Person or Persons to dispence  
 ‘with those, and all other Humane Laws  
 ‘of this your Realm, and with every one  
 ‘of them, as the quality of the Persons  
 ‘or Matter shall require; and also the  
 ‘said Laws, and every of them, to abro-  
 ‘gate, adnull, amplify, or diminish.

Now our Author, it is possible, may find out of these Words an unalterable humane Law of Succession, or that the King has the whole Legislative Power, or that there are Imperial Laws ordained within this Realm, which are not for the Wealth of the same, but may destroy the Political Laws at every turn: And so may any Body else make the same Discoveries, who is resolved before-hand to do it.

His other Collection is, p. 218, 219. not one of which concerns the present Question, no, not that whetein he triumphs, and slavishly braggs, *That the very Doctrine of the Bow-string is declared by Act of Parliament.* ‘Twere better the Doctrine of the Bowstring were about his Neck, tho his Name were Legion. I see that if the whole Nation were

enslaved,

enslaved, we have some of the Brood of *Cham* amongst us, who would rejoice at it, and make themselves as merry with it, as *Nero* was at the Flames of *Rome*, and would dance after his Harp. But such impotent Malice, and poor-spirited Insolence, is below an English-Man's Indignation, and therefore I shall calmly desire our Author to look over again that Declaration, 13 *Car. 2. cap. 6.* and to tell me, in which Clause, Word, or Syllable of it he finds the Doctrine of the Bow-string declared. For my part, I have read it very often over, and cannot see any more in it than this, *That it is unlawful for both, or either of the Houses of Parliament, to raise or levy any War offensive or defensive against the King;* which was always Treason for any Subjects to do. But was ever a legal Defence against unauthorized illegal Violence of Subjects, called by the Name of levying War against the King? Shew me That in any authentick Book of Common-Law, in any Statute, or in any Resolution of all the Judges in *England*, and I will be as passive as any Man.

Before I go any further, I must not forget a Passage which does more nearly concern me, p. 221, 222. wherein I am  
taxed

taxed for going contrary to my Declaration and Acknowledgment, ordered by the Act of Uniformity: *Wherein I have abhorred that Traitorous Position, of taking Arms by the King's Authority against his Person, or those that are commissioned by him.* Upon which he adds: *It was apparently the Design of the Three Estates in this Act, to secure the Nation of such Ministers, as would preach up the Doctrine of Non-resistance without distinction.* But if it were, they are very much disappointed; for our Author himself, who is as good at Indistinction and Confusion in other Matters as any Man, does not preach the Doctrine of *Non-resistance* without distinction, but handles it with the Subtilty of a Schoolman. For he grants, p. 280, that one who is sent by the King's Order to assassinate or destroy his Subjects, is not commissioned by the King, for he may be resisted by the King's Law, which is his most authoritative Command: But great Numbers or Forces so employed, may not be resisted. So that his Doctrine is this: That if twenty Men come, one by one, with the King's Order to do an illegal and destructive Act, they are not commissioned, and may be resisted; but if the same Number come together, Rank

Rank and File, with the same Order, and upon the same Errand, then they are commissioned, and may not be resisted. Is this preaching up the Doctrine of Non-resistance without distinction? Or rather, is it not making a silly Distinction without a difference? Again, in the same place he has Distinction upon Distinction, in these Words: *The Doctrine of Passive Obedience allows a Man to resist, or use the Sword to defend his Life, when the Laws [from which I except all Laws destructive of the King's Crown and Regality] authorize him so to do.* This is preaching up, and preaching down the same Doctrine in the same Breath, upon a wicked Supposition, that the Laws of the Land, which protect the Subject, are destructive of the King's Crown and Regality. Now on the other hand, all faithful Ministers of the Church of *England* preach Obedience to the Laws, and Non-resistance of those who are commissioned by the King, without distinction, and without deceiving the People to their Destruction, and telling them those are commissioned by the King, whom the Law declares are not commissioned, nor can be commissioned, as no Man can be to destroy lawful Subjects.

O . Such

Chap. 37.

*Toties emptæ  
& redemptæ  
libertates.*

Such illegal Commissions are declared by *Magna Charta* to be null and void, and so we ought to account them, as you may see by the following Words: 'And for this our Gift and Grant of these Liberties, and of others, contained in our Charter of Liberties of our Forrest, the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other our Subjects, have given unto us the fifteenth part of all their Moveables: And we have granted to them on the other part, that neither we, nor our Heirs, shall procure or do any thing, whereby the Liberties in this Charter contained, shall be infringed or broken. And if any thing be procured by any Person, contrary to the Premises, it shall be had of no force or effect. So that what *St. Paul* says of an Idol, may be fitly applied to a Commission contrary to Law: *For we know that an illegal Commission is nothing in the World.* And accordingly we find in Acts of Grace, that Men who act upon such Commissions, do stand in as much need of Pardon as other Men, and had the Benefit of the Act of Oblivion in the first place, as you may see by the Particulars which are there pardoned. 'First, 'all



' all and all manner of Treasons, Mispri-  
 ' sions of Treason, Murthers, Felonies, 12 Car. 2.  
cap. 11.  
 ' Offences, Crimes, Contempts, and Mis-  
 ' demeanours, counselled, commanded,  
 ' acted, or done, since the first of *January*,  
 ' in the Year of our Lord 1637, by any  
 ' Person, or Persons, before the 24<sup>th</sup> of  
 ' *June*, 1660, (other than the Persons  
 ' hereafter by Name excepted, in such  
 ' manner as they are hereafter excepted )  
 ' by virtue or colour of any Command,  
 ' Power, Authority, Commission, or  
 ' Warrant, or Instructions from his late  
 ' Majesty King *Charles*, or his Majesty  
 ' that now is, or from any other Person or  
 ' Persons, deriving, or pretending to de-  
 ' rive Authority, mediately or immediate-  
 ' ly, of or from both Houses, or either  
 ' House of Parliament, or of or from any  
 ' Convention or Assembly, called or re-  
 ' puted, or taking on the Name of a Par-  
 ' liament, &c. be pardoned, released, in-  
 ' dempnified, discharged, and put in ut-  
 ' ter Oblivion.

His fourth and last Principle, upon  
 which he builds his false Passive  
 Obedience, is a false Pretence of the So-  
 vereign's Honour ; concerning which he  
 says, p. 279. *The Laws are more tender of*

our Sovereign's Honour, as he is God's Minister, than of his Subjects Lives. As if the King's Honour, and his good Subjects Lives, could ever stand in such a dangerous Competition, that one of them must of necessity destroy the other; and as if the Laws of *England* had provided, that the Lives of the People of *England* should be sacrificed to the King's Honour. Has our Author been abroad to fetch home *pour ma Gloire*, and to render it into this English? He might have had sounder and safer Notions at home, out of Judg *Jenkins*, whom he often quotes to no purpose. Pag. 134. we have these Words: 'The Gentleman says, *We do not swear*, ' (meaning in the Oath of Supremacy) ' *that the King is above all Law, nor above* ' *the Safety of his People*. Neither do we ' so swear (says Judg *Jenkins*) but his ' Majesty and we will swear to the contrary, and have sworn, and have made ' good, and will by God's Grace make ' good our Oath to the World, that the ' KING is not above the Law, nor ' above the Safety of his People: The ' Law, and the Safety of the People, are ' his Safety, his Honour, and his Strength. And accordingly it has been always declared in Parliament, to be the Honour and

Judg *Jen-*  
*kings* Works,  
p. 134.

and Glory of the Kings of *England*, that they were Kings of Freemen, and not of Slaves; whereby they have been enabled to do greater Things, and to make a larger Figure in the World, than Princes of five times their Territories. But this Author has pick'd up quite contrary Notions, and thinks it a Dishonour to the King, if the generous People which he governs, be not Slaves to every Parcel of Criminals, who, *against the King's Crown and Dignity*, shall wickedly destroy them in his Name.

I have now done with every Thing that looks like an Argument in this Discourse of Passive Obedience; for as for the following Chapter, there is nothing new in it; he only chews the Cud upon his Notions of Sovereignty, and rings Changes upon his Imperial and Political Laws. And then in the 12th Chapter, after he has bound us hand and foot, and prepared us for the Popish Knife, he has the Face to tell us, That notwithstanding this Doctrine of Non-resistance, or Passive Obedience, we shall be secure enough of our Lives, Properties, and Religion under a Popish Successor. For after he has given us the *Security of God's Care*

*and Providence, which we always forfeit, unless we take care of our selves; and the Security of a Popish Prince's Conscience, against which we desire Counter-Security; and the Security of a Popish Prince's Honour, which is to be Sainted for extirpating the pestilent Northern Heresy, and for driving all Protestants and their Religion out of the World; and the Security of the Political Laws, which he has proved to be Bankrupt, and not half so good Security as a Broom-staff. In the last place, to our unspeakable Comfort, he tells us that the Imperial Laws cannot be put in Execution; For in such a violent Undertaking, all good Men would withdraw from the Service of the King, and the Bad durst not serve him. So that according to our Author, a Popish Prince will be left to do his Work all alone; for no Popish Cut-Throats, no Irish Ruffians, no Forces can be had, for Love or Money.*

Now People may take this Security which our Author offers them, if they please; they may have their Throats cut with a Feather, if they have a mind to it: But for my part, I must acknowledg my own Infirmary, I cannot swallow such gross Shams, I cannot believe incredible Things,

Things, upon any Man's Authority whatsoever, not tho he deliver them with all the seeming Gravity and Seriousness, as if he were saving a Soul,

To our Author's Conclusion in praise of a Martyrdom, I have only this to say, That there is a Time for all Things ; and God be thanked, that that Discourse is very impertinent. As it would have concern'd us, so it would have edified us more, if *Magna Charta*, and all the Laws which establish the Protestant Religion, had been repealed ; but for all that, I hope they will stand, when he, and his Invention of Imperial Laws are forgotten. The Discourse is a good Discourse, but methinks it would have look'd more in earnest, if it had been dated, as the last Page of it was, *E Carcere* : for, considering all Circumstances, I am no otherwise affected with it, than I was with the precious Passive Doctrine, and the good Protestant Religion of our good Church, in Coleman's Declaration for dissolving the Parliament. If by the Providence of God, in some such Calamity as a casual Fire, I fall into Poverty, and a Fellow-Sufferer with me bids me possess my Soul in Patience, and com-

forts me with Considerations proper for such a Condition, telling me, that our Blessed Saviour himself had not where to lay his Head; and that the Apostles, of whom the World was not worthy, nevertheless had no certain Dwelling-Place in it, and yet were contented in that low Condition; I shall look upon him as an Angel from Heaven. But if a Company of us be travelling near *Shooters-Hill*, with all that we have in the World, and the whole Subsistence of our selves and Families about us; and a Gentleman well mounted and accoutred, shall come and preach up to us the Advantages of Poverty at a strange rate, telling us likewise, that by our Saviour's Precept, and the Apostles Example, we ought not to carry Money in our Scrics; and that in case we be set upon, to be rifled of all we have, we are by no means to defend our selves; but, like the Primitive Christians, whom the Apostle commends, to take joyfully the spoiling of our Goods: I believe this kind of Discourse would look very suspiciously to all of us, and (God forgive me for it if I wronged him) I should hardly take him for a True-man, but for the Confederate of some malicious Gang hard by, who, as a famous Captain

Captain of them heretofore used to say, would ease us of our Unchristian Incumbance, and send us lighter to Heaven. And I should think not one jot the better of him, but much the worse, for his abounding with Scripture, and applying it in that manner.

Having in the beginning of this Discourse made mention of our Author's Cavils, which he has raised against Matter of Fact, I shall here give the Reader a Taste of them. Our Author may call them my whole Store, as he speaks, p. 109. with which Passage I shall begin; and in Answer to a Heap of Falsifications, I shall tell him the very Words of *Justinian* and *Maximus*, to which I refer'd, and which they spoke publicly, and for which they were accused, and which *Theodoret* calls admirable Expressions: *For thou hast delivered us, said they, to an upright Emperor, such an Apostate as is not again upon the Face of the Earth*, cap. 14. but three, or four Lines before what he himself quotes out of the same Chapter, to sham us; which too much discovers the Man. As for the Souldiers, who were trepann'd into Sacrificing, of whom I said, that they did not spare *Julian* in the

the least, of whom our Author discour-  
ses, p. 111, &c. Theodoret says this con-  
cerning them; *They went to Court with  
their Outcries, exclaiming against the Jug-  
gles and Fallacies of the Tyrant, insomuch,  
as the Historian adds, that they made Ju-  
lian mad.*

But because these Souldiers did not  
form themselves into a Posture of Defence  
against such a lawless Tyrant as Julian, our  
Author threatens, p. 114. that they, toge-  
ther with Juveninus and Maximus, shall  
be the Thundring Legion for the time to  
come; and the musty Thebean Legion, as  
he calls it, shall be laid aside, and give  
place to this. Now suppose these Soul-  
diers had been a Legion compleat, into  
what Posture of Resistance could they  
have formed themselves, to have beaten  
eleven Legions? for a Roman Army con-  
sisted of twelve. But this terrible Legi-  
on wherewith we are menaced, which,  
because it did not confound Julian, must  
ruine us, consists of a dozen or fourteen  
Men at the most, (for they all rose up  
from one Table) and together with Ju-  
veninus and Maximus, are sixteen Men  
effective; so that we have just 6650  
Faggots. For Fallacies, and for false  
Musters, I never yet knew our Author's  
Match.

It



It would be tedious to shew, how he shuffles with the Stories of *Maris* Bishop of *Ghalcedon*, the Nobleman of *Berea*, and *Publia*, which cannot be parallel'd in any other Age, (for *Julian's* Reign, tho very short, and yet much too long, did happen in a certain Age of the World). The first of these made a hard shift to go to Court, on purpose to tell *Julian* his own very publicly, whither, I am well assured, some other Men would have gone crouching with their baile Mains. The other, besides disinheriting his Son for turning to the Emperor's Religion, told the Emperor to his Face, that his Son was a Villain, and hated of God for it, and had embraced a Lie instead of the true Religion. So that *Julian* might well complain to his dearest Brother *Libanius*, of his ill Usage at *Berea*, which cut him to the Heart, as you may see in his Letter to *Libanius*; where he says, that he had some Talk with the Senate about Religion, but to no purpose, for they behaved themselves impudently towards him; and wonders, by the Gods, that some Men should be ashamed of Vertue, and others again should pride themselves in Sacrilege and Sor-  
tishness.

*Julian. Ep. 27.*  
Ελαβοντο δε  
αυτον παρ' η-  
σιας αποτει-  
ναισθαι την  
αιδω ε' απο-  
διδουαι

And

And then as for *Publia's* counting *Julian* fit to be despised and derided, and picking out proper Psalms for him, and watching for Opportunities of bestowing her Blessings upon him, it cannot be match'd by all Antiquity. For I do not wonder, that in the midst of Agonies, or upon the sight of a Martyr's being put to death, the Zeal of some former Christians did break forth into such like Expressions: But all these that I speak of, were in cold Blood; and *Julian* was so far from provoking them, that they were fain to whet their own Zeal themselves.

According to our Author, p. 127. the Psalms of the *Antiochians*, at which *Julian* was so enraged as he never was in his Life, and could not contain himself, did only with *Julian* what they themselves counted the greatest Happiness in the World, namely his Conversion to Christianity, and that to be wrought by no harsher Penance than a Deboist, which every Fresh-man at *Cambridg* has often undergone, upon much smaller Accounts, and which, the Learned say, comes from our Author's Hebrew Word, *וָעָבַר*. But I must crave leave to inform our Author, that the Word *confounded*, (and so the Word

Word *asbamed*) in *David*, signifies much more than being put to the Blush; for it implies some very great Evil, some astonishing Calamity, and terrible Rebuke. And therefore these Words are frequently put together, *Let them be confounded and perish.* Psal. 71. 11. Confusion is opposed to Deliverance and Safety; and, Psal. 53. 6. which is the mildest Acceptation of the Word, *Thou hast put them to Confusion*, is as much as, *Thou hast broken their Bones.* But it may be our Author, when he says the last Verse of *Te Deum*, which is taken from the first Verse of the 25 or 71 Psalm, *O Lord, in thee have I trusted, let me never be confounded*; prays only that he may never blush: which I am apt to think, or else we had had none of this Stuff.

Again, p. 139. the joint and publick Prayers, the Common-Prayer of a whole City, in their Cathedral Church, for *Julian's* Destruction, must not be called *their* Prayers. That's hard! when old *Gregory* himself, being a Bishop, might write *We*, and yet πανδημοις, and Words of Multitude must not be called *They*. Further, if the Practice of the purest Church in that Age, a Church that was called the *New Jerusalem*, and *Noah's* Orat. 19.  
Ark p. 297.

*Ark in those Days*, and which *Nazianzen* says, was like *Bethlehem*, the *Metropolis of all the World*, must not pass for the Practice of the Church; then there is no such thing in Antiquity as the Practice of the Church, and it is in vain to talk of it.

In the same Page, our Author put me in great hopes, that he would shew me a Prayer for *Julian's* Conversion, by saying that *he could produce one Example*, and by upbraiding my wilful Blindness in missing such a Barn-Door, when I was so near it; but I was grievously disappointed, when I found that this Example was *Sozomen's* Account of *Dydimus* his Prayer and Fasting: For there is not one Word or Syllable in *Sozomen*, of *Julian's* Conversion or Repentance; neither do I know by what Authority he forges and foists Words into Authors at his pleasure. But on the other hand, the miraculous Answer of *Dydimus's* Prayer is a strong Proof that he prayed for *Julian's* Destruction: For it was at that time, in a very wonderful manner revealed to him, that *Julian* was that day killed, and he was bid to tell the News to *Athanasius* the Bishop, who, I suppose, was another that contributed to *Julian's* Destruction, as well as the two *Gregories*, and the Church

Church of *Naxianzum*; and as the Historian adds, immediatly upon this *he fell to eating*, as if his Fasting had now attained its End. And further, the whole Design of that Chapter in *Sozomen* is to shew, *Sozom. lib. 6. cap. 2.* that *Julian's* Death and Destruction was from God, because he laid waste his Churches. Upon which account the Prophets and Apostles entred into a Consultation against him, as you have it in the first Vision of that Chapter; and two of their Number going out in all haste, as it should seem, to dispatch him, returned the next Night to the Assembly, with an Account of his Death. And I had not Room in a little Book for all those Stories, or else the Reader should have had them.

As for *Valentinian*, our Author says, p. 116. *That if he had shaken the Holy Water off his Cloaths, it had been all one, and he had thereby owned his Religion, as well as by striking the Priest.* Now *Valentinian* the Confessor not only shook the Holy-Water off, but tore off that part of his Cloaths upon which the Holy-Water fell, and said he was polluted by it: And yet that did not serve his Turn, but he struck the Priest too before *Julian's* Face, which *Julian* resented as a high Contempt, and punished

punished him thereafter. And it lies upon our Author to prove, that ever *Valentinian* excused himself, and begged the Emperor's Pardon.

The next thing, in the same Page, is the Instance which I gave of old *Gregory's* Behaviour, against which our Author raises such a Multitude of little Exceptions, as will not all of them amount to one real Objection. However, in Answer to them I say, that He, the Person in Controversy, is *Julian*: For besides that *Elias Cretensis* renders ἐὼν, *Impius ille*, and there is no Construction in Words, if it be understood of any other Person, as every School-boy knows; there is likewise a Transubstantiation-Solacism in our Author's way of rendring it: For then the Captain (being included in ἐς,) must lead himself, and march at the Head of himself; which, tho it goes down in the Mass for Myſtery, will never pass in an Author for Sense. Again, μετὰ τοῦ βασιλευσίνος is falsely rendered, *with the Emperor's Orders*, for it signifies, *with peremptory Commands*, *Jussis*, or in an Imperious way he demanded the Church. But above all, his rendring ἐλθεῖν, *to be ill*, shews the depth of his Grecianſhip; for according to his

OWN

ἐς ἐπ' αὐτὸν  
ἐλθεῖν.

own Quotation of *Phavorinus*, *ἐαλνέσθαι*, is to suffer a beating, or to be beaten passively. So that if our Author will have *πρόδος*, *ἐαλνέσθαι* signify to be beaten on the Feet, or drubb'd, instead of kickt, I shall not contend; provided he will first agree the Matter with *Billius*, who renders it *calcibus cæsus*, and with the only *Elias Cretensis* we have, who renders it *pedibus contusus*, to whose Authority I purposely and expressly referred my self, knowing I had to do with captious Persons; and provided he will let the English Word, *kick'd*, serve to express a contemptuous Beating, because in this Country, the way of setting a Man upon his Head, and beating the Soles of his Feet, is not so well understood. And as upon these Conditions I will not fall out with him upon this one Criticism, so he has Reason to take this Concession kindly; for I do assure him, that I will not make him such another again, nor bate him one Syllable in my whole Book besides. Lastly, as for the *Uncanonicalness* and *Eccentricity*, as our Author calls it, of *Gregory's* Intentions in this Passage, let both the *Gregories*, and the Church of *Nagianzum*, who thought it a great part  
P of

of the old Man's Praises, look to't; I am no ways concern'd.

In the same Chapter, p. 122. he finds a Plot against the Chaplains, and the Government, in rendring *vevnde*, Chaplain. It is always rendred *Æditum* in Latine, which *Gouldman* says, is the Prelate of the Temple or Church, the Parson: Now as from *Ædes* comes *Æditum*, so from Chappel comes Chaplain; and that was the very Reason of my chusing that Word; which I did the rather, because *Julian's* Temple of Fortune was but a Chappel, and stood within the Palace. There is likewise in the same Chapter, p. 124. somewhat that is like the Letter from *Legorn*, from on board the *Van-Herring*; but that being a mysterious sort of Writing, is out of my way, and therefore I shall say nothing at all to it.

Our Author's frequent Inconsistencies and Contradictions would fill a Book. The Roman Empire, he says, was Elective, and yet, p. 9. in the fundamental Constitution of it, *it was decreed by the Senate to Julius Cæsar, and the Sons of his Body*. P. 222. He calls this an Atheistical Principle, *That all Power is radically in the People*; And yet it seems it was otherwise



wife at *Sparta*; for, p. 240, he tells us, *The Kings of Sparta had only the Exercise of the Sovereign Power, but not the Sovereign Power it self; that was radically and originally in the People:* And so in the same Page, *The Magistrates in Switzerland derive their Power from the People.* Now I thought, that what was really Atheism in one Country, would never prove to be good Divinity in another, but must be Atheism every where.

But because our Author is pleased to call this an *Atheistical as well as an Illegal Principle in England*; I shall here set down the Words of Mr. *Hooker*, as great a Man, perhaps, as ever *England* bred; whose Book has been deservedly recommended by several Kings, and admired by all Men, and who does not use to be charged with broaching Atheistical and Illegal Principles. *Eccles. Pol. lib. 1. cap. 10.*  
 ‘All Publick Regiment, of what kind  
 ‘soever, seemeth evidently to have risen  
 ‘from deliberate Advice, Consultation,  
 ‘and Composition between Men. And  
 after a large Discourse to that purpose,  
 he has these Words: ‘That which we  
 ‘spake before concerning the Power of  
 ‘Government, must here be applied to

' the Power of making Laws whereby to  
 ' govern; which Power God hath over  
 ' all; and by the Natural Law whereunto  
 ' he hath made all Subject, the lawful  
 ' Power of making Laws to command  
 ' whole Politick Societies of Men, belon-  
 ' geth so properly unto the same entire  
 ' Societies, that for any Prince or Poten-  
 ' tate, of what kind soever, upon Earth,  
 ' to exercise the same of himself, and not  
 ' either by express Commission, immedi-  
 ' ately and *personally* received from God,  
 ' or else by Authority derived at first from  
 ' their Consent, upon whose Persons they  
 ' impose Laws, it is no better than meer  
 ' Tyranny.

It is wonderful to see what a Dust he  
 raises about the Pursuivant, p. 276, 277, &c,  
 which yet may be all layed by one Word,  
 and by only saying, That *Brownlow's*  
 Reports were writ for those that under-  
 stood the Word *Homicide*, which amongst  
 other things is Chance-medley, or *Se De-*  
*sendendo*, as well as *Man-Slaughter*. And  
 in this very Case, *Simpson's Case*, which  
 you have over again in *Coke's 4th part Inst.*  
*of Eccles. Courts*, p. 333. with more exact-  
 nels of Circumstances; my Lord Chief-  
 Justice *Coke* says expressly, it was *Se defen-*  
*dendo*

dendo in *Simpson*. And yet how many Reflections does our Author load me with, upon occasion of that ignorant Mistake, just as he has done in many other places of his Book ! But it would be hard indeed, if one Man's Honesty and Integrity were to be all forfeited by another Man's Ignorance. There is, I confess, in that large abusive Discourse, one material Question, which he puts to me in these Words : *Will he make the Law the compleat and adequate Rule to walk by ?* Which I should answer my self, but I will get Bishop *Hall* to do it better for me, in these Words : ' What then if the Thief, after ' his Robbery done, ceasing any further ' Danger of Violence, shall betake him- ' self to his Heels, and run away with ' my Money ? In such a Case, if the Sum ' be so considerable, as that it much im- ' ports my Estate, however our Munici- ' pal Laws may censure it, (with which, ' of old, even a killing *Se defendendo* was ' no less than Felony of Death ) my Con- ' science should not strike me, if I pursue ' him with all my Might, and in hot ' Chase so strike him, as that by this means ' I disable him from a further Escape, for ' the recovery of my own ; and if here-

Resolutions of  
Practical Ca-  
ses of Consci-  
ence, *Dis. 2.*  
*Case 1.*

*Dalton, p. 244.*

‘upon his Death shall follow, however I  
 ‘should pass with Men, God and my own  
 ‘Heart would acquit me.

See the same  
 Case, p. 100,  
 101.

Sir, you see the Bishop is so far of your  
 Mind, that *he does not think the Law a com-  
 plet and adequate Rule to walk by*; for he  
 would have exceeded and transgress’d the  
 Law, in defence of his own Right; nay,  
 he would not have thought himself hin-  
 dred by his Clerical Character, but with  
 his own Episcopal Hand, whether the  
 Law had given him leave or no, would  
 have slain a Thief, running away with  
 his Purse. And yet *Simpson* must make a  
 narrow Escape, by Repentance and his  
 Neck-Verse, from Hell and the Gallows,  
 for struggling to rescue himself from a Man-  
 catcher, who was running away with his  
 Person.

Our Author’s Law, and Casuistical Di-  
 vinity are so well match’d, that it is pity  
 they should ever be parted; of both  
 which I shall take my leave at present,  
 because I intended a little Book, and not  
 a *Folio*.

FINIS.

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## ERRATA.

P. Ag. 17. l. 4. *Apaſtacy*, r. *Apoſtacy*. P. 20. l. 23.  
*Cruely*, r. *Cruelty*. P. 29. l. 7. *Admonitions*,  
r. *Admonitions*. P. 41. l. 26. *delibrate*, r. *delibe-*  
*rate*. P. 71. l. 1. *Religions*, r. *Religions*. P. 118.  
l. 1. *Constantine's*, r. *Constantinus's*. P. 205. l. 7.  
after *Pſal. 71. 11.* insert *83. 17. & Pſal. 71. 1.*  
P. 199. l. 6. dele *a*. P. 208. l. 8. *ſuch a multi-*  
*tude of*, r. *a multitude of ſuch*.

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